IMT Nuremberg Archives

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International Court of Justice

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N E U R A T H

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D/660

EXTRACTS FROM ENGLISH TRANSLATION OF "MEIN KAMPF"
(Hutchinson's illustrated edition)

Page 556, Col.II.

"The soil on which we now live was not a gift bestowed by Heaven on our forefathers. But they had to conquer it by risking their lives. So also in the future our people will not obtain territory, and therewith the means of existence, as a favour from any other people, but will have to win it by the power of a triumphant sword."

Page 145, Col.II.

"Thus I used to think it an ill-deserved stroke of bad luck that I had arrived too late on this terrestrial globe and I felt chagrined at the idea that my life would have to run its course along peaceful and orderly lines. As a boy I was anything but a pacifist and all attempts to make me so turned out futile."

Page 162, Col.I.

"In regard to the part played by humane feeling, Moltke stated that in time of war the essential thing is to get a decision as quickly as possible and that the most ruthless methods of fighting are at the same time the most humane. When people attempt to answer this reasoning by highfalutin talk about aesthetics, etc. only one answer can be given. It is that the vital questions involved in the struggle of a nation for its existence must not be subordinated to any aesthetic considerations."

Page 256, Col.II.

"Had it not been possible for them to employ members of the inferior race which they conquered, the Aryans would never have been in a position to take the first steps on the road which led them to a later type of culture; just as, without the help of certain suitable animals which they were able to tame, they would never have come to the invention of mechanical power, which has subsequently enabled them to do without these beasts."

.....

"For the establishment of superior types of civilization the members of inferior races formed one of the most essential prerequisites."

Page 344, Col.II.

"If in its historical development the German people had possessed the unity of herd instinct by which other people have so much benefited, then the German Reich would probably be mistress of the globe today. World history would have taken another course, and in this case no man can tell if what many blinded pacifists hope to attain by petitioning, whining and crying may not have been reached in this way; namely, a peace which would not be based upon the waving of olive branches and tearful misery-mongering of pacifist old women, but a peace that would be guaranteed by the triumphant sword of a people endowed with the power to master the world and administer it in the service of a higher civilization."

(2405)

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Page 1, Col. I.

"German-Austria must be restored to the great German Motherland. And not indeed on any grounds of economic calculation whatsoever. No, no. Even if the union were a matter of economic indifference, and even if it were to be disadvantageous from the economic standpoint, still it ought to take place. People of the same blood should be in the same Reich. The German people will have no right to engage in a colonial policy until they shall have brought all their children together in one State. When the territory of the Reich embraces all the Germans and finds itself unable to assure them a livelihood, only then can the moral right arise, from the need of the people, to acquire foreign territory. The plough is then the sword; and the tears of war will produce the dail bread for the generations to come."

(3132)

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Page 553, Col. I.

"In regard to this point I should like to make the following statement: To demand that the 1914 frontiers should be restored is a glaring political absurdity that is fraught with such consequences as to make the claim itself appear criminal. The confines of the Reich as they existed in 1914 were thoroughly illogical; because they were not really complete, in the sense of including all the members of the German nation. Nor were they reasonable, in view of the geographical exigencies of military defence. They were not the consequence of a political plan which had been well considered and carried out. But they were temporary frontiers established in virtue of a political struggle that had not been brought to a finish; and indeed they were partly the chance result of circumstances."

Page 554, Col. II.

"For the future of the German nation the 1914 frontiers are of no significance. They did not serve to protect us in the past, nor do they offer any guarantee for our defence in the future. With these frontiers the German people cannot maintain themselves as a compact unit, nor can they be assured of their maintenance. From the military viewpoint these frontiers are not advantageous or even such as not to cause anxiety. And while we are bound to such frontiers it will not be possible for us to improve our present positions in relation to the other World Powers, or rather in relation to the real World Powers. We shall not lessen the discrepancy between our territory and that of Great Britain, nor shall we reach the magnitude of the United States of America. Not only that, but we cannot substantially lessen the importance of France in international politics.

"One thing alone is certain: The attempt to restore the frontiers of 1914, even if it turned out successful, would demand so much bloodshed on the part of our people that no future sacrifice would be possible to carry out effectively such measures as would be necessary to assure the future existence of the nation. On the contrary, under the intoxication of such a superficial success further aims would be renounced, all the more so because the so-called national honour would seem to be revindicated and new ports would be opened, at least for a certain time, to our commercial development.

"Against all this we National Socialists must stick firmly to the aim that we have set for our foreign policy; namely, that the German people must be assured the territorial area which is necessary for it to exist on this earth. And only for such action as is undertaken to secure those ends can it be lawful in the eyes of God and our German posterity to allow the blood of our people to be shed once again. Before God, because we are sent into this world with the commission to struggle for our daily bread, as creatures to whom nothing is donated and who must be able to win and hold their position as lords of the earth only through their own intelligence and courage.

"And this justification must be established also before our German posterity, on the grounds that for each one who has shed his blood the life of a thousand others will be guaranteed to posterity. The territory on which one day our German peasants will be able to bring forth and nourish their sturdy sons will justify the blood of the sons of the peasants that has to be shed today. And the statesmen who will have decreed this sacrifice may be persecuted by their contemporaries, but posterity will absolve them from all guilt for having demanded this offering from their people."

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Page 557, Col. I.

"Germany will either become a World Power or will not continue to exist at all. But in order to become a World Power it needs that territorial magnitude which gives it the necessary importance today and assures the existence of its citizens."

Page 552, Col. II.

"....we must take our stand on the principles already mentioned in regard to foreign policy; namely, the necessity of bringing our territorial area into just proportion with the number of our population. From the past we can learn only one lesson. And this is that the aim which is to be pursued in our political conduct must be twofold: namely, (1) the acquisition of territory as the objective of our foreign policy and (2) the establishment of a new and uniform foundation as the objective of our political activities at home, in accordance with our doctrine of nationhood."

Page 132, Col. I.

"Therefore the only possibility which Germany had of carrying a sound territorial policy into effect was that of acquiring new territory in Europe itself. Colonies cannot serve this purpose so long as they are not suited for settlement by Europeans on a large scale. In the nineteenth century it was no longer possible to acquire such colonies by peaceful means. Therefore any attempt at such a colonial expansion would have meant an enormous military struggle. Consequently it would have been more practical to undertake that military struggle for new territory in Europe, rather than to wage war for the acquisition of possessions abroad.

Such a decision naturally demanded that the nation's undivided energies should be devoted to it. A policy of that kind which requires for its fulfilment every ounce of available energy on the part of everybody concerned cannot be carried into effect by half-measures or in a hesitating manner. The political leadership of the German Empire should then have been directed exclusively to this goal. No political step should have been taken in response to other considerations than this task and the means of accomplishing it. Germany should have been alive to the fact that such a goal could have been reached only by war, and the prospect of war should have been faced with calm and collected determination.

The whole system of alliances should have been envisaged and valued from that standpoint. If new territory were to be acquired in Europe it must have been mainly at Russia's cost, and once again the new German Empire should have set out on its march along the same road as was formerly trodden by the Teutonic Knights, this time to acquire soil for the German plough by means of the German sword and thus provide the nation with its daily bread."

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"Mein Kampf" (Page 557)

Therefore we National Socialists have purposely drawn a line through through the line of conduct followed by pre-War Germany in foreign policy. We put an end to the perpetual Germanic march towards the South and West of Europe and turn our eyes towards the lands of the East. We finally put a stop to the colonial and trade policy of pre-War times and pass over to the territorial policy of the future.

But when we speak of new territory in Europe today we must principally think of Russia and the border States subject to her.

2344

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Page 570. Col.II.

"As long as the eternal conflict between France and Germany is waged only in the form of a German defence against the French attack that conflict can never be decided, and from century to century Germany will lose one position after another. If we study the changes that have taken place, from the twelfth century up to our day, in the frontiers within which the German language is spoken, we can hardly hope for a successful issue to result from the acceptance and development of a line of conduct which has hitherto been so detrimental for us.

Only when the Germans have taken all this fully into account will they cease from allowing the national will-to-live to wear itself out in merely passive defence; but they will rally together for a last decisive contest with France. And in this contest the essential objective of the German nation will be fought for. Only then will it be possible to put an end to the eternal Franco-German conflict which has hitherto proved so sterile.

Of course it is here presumed that Germany sees in the suppression of France nothing more than a means which will make it possible for our people finally to expand in another quarter. Today there are eighty million Germans in Europe. And our foreign policy will be recognized as rightly conducted only when, after barely a hundred years, there will be 250 million Germans living on this Continent, not packed together as the coolies in the factories of another Continent but as tillers of the soil and workers whose labour will be a mutual assurance for their existence."

(2409)

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Translation of D/739.

CZ/29.

The Reich Protector
in BOHEMIA and MORAVIA.

PRAGUE, 5th October 1940.

The representative of the
Foreign Office.

Secret Reich Matter.

12.065/D.pol.2 Secret.

Contents:

The Fuhrer's decision in connection
with report of the 27th September 1940
- No. 11. 663/D, Pol. 2 Secret.

Regarding the reception of the Reich Protector and Secretary of State FRANK by the Fuhrer, I have learnt the following from authentic sources:

To begin with, the Minister of Justice, GURTNER, gave a report on the CZECH resistance movement, during the course of which he maintained that the first trial of the four chief ring leaders would shortly take place before the Peoples Court.

The Fuhrer objected to this procedure and declared that execution squads were good enough for CZECH insurgents and rebels. It was a mistake to create martyrs through legal sentences, as was proved in the case of ANDREAS HOFER and SCHLAGETER. The CZECHS would regard any sentence as an injustice. As this matter had already entered the path of legal procedure it was to be continued with in this form. The trials were to be postponed until after the war, and then amidst the din of the victory celebrations the proceeding would pass unnoticed. Only death sentences could be pronounced, but would be commuted later on to life imprisonment or deportation.

Regarding the question of the future of the Protectorate, the Fuhrer touched on the following three possibilities:

1. Continuation of CZECH autonomy, in which the Germans would live in the Protectorate as co-citizens with equal rights. This possibility was however, out of the question, as one had always to reckon with CZECH intrigues.

2. The deportation of the CZECHS and the Germanisation of the BOHEMIAN and MORAVIAN area by German settlers. This possibility was out of the question too, as its execution would take a hundred years.

3. The Germanisation of the Bohemian and Moravian area by germanising the Czechs, i.e. by their assimilation. The latter would be possible with the greater part of the Czech people. Those CZECHS against whom there were racial objections or who were anti-German were to be excepted from this assimilation. This category was to be weeded out.

The Fuhrer decided in favour of the third possibility; he gave orders via Reich Minister LAMMERS, to put a stop to the multitude of plans regarding partition of the Protectorate. The Fuhrer further decided that, in the interests of a uniformed policy with regard to the CZECHS, a central Reich authority for the whole of the BOHEMIAN and MORAVIAN area should remain at PRAGUE.

The present status of the Protectorate thus continues .

The Fuhrer's decision followed the lines of the memoranda submitted by the Protector and Secretary of State FRANK.

(Signed) Dr. ZIEMKE.

To the Foreign Office
in Berlin.

F 17 031
& F. 17 032.

6091.

H1172-0011

Gb 513
Filed June 25

Translation of D 794

The Reich Foreign Secretary, Berlin, 2nd April, 1933.

(Initialled: 'L':Lammers)
'Tho': Thomsen)

(In handwriting: Submitted to the Reich Chancellor)

Dear Reich Chancellor,

The Italian Ambassador telephoned me last night and informed me that Mussolini had declared himself prepared to deny, through the Italian delegations abroad, all news about the persecution of the Jews in Germany that had been distorted by propaganda, if we should consider this course useful. I thanked Herr Cerrati, also on your behalf, and told him that we should be glad to accept his offer.

I regard this friendly gesture of Mussolini's as important enough to bring it to your notice.

As I am unfortunately so hoarse, that I can only make myself understood with difficulty on the telephone, I am having to recourse to this written channel.

With best greetings I remain, dear Reich Chancellor,

Yours faithfully,

(Signed) NEURATH

To the Reich Chancellor,
Herr Adolf Hitler,
Reich Chancellery.

6501

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EXTRACT FROM

7280

DOCUMENTS ON THE CONFLICT WITH JUGOSLAVIA AND GREECE

FOREIGN OFFICE, BERLIN, 1941.

Extract No. 28 TC 92

Memorandum about the discussions which took place with the Fuehrer and Reich Chancellor on the 17th January, 1938, on the occasion of the reception of the Jugoslav Prime Minister and Foreign Secretary Stojadinowitsch.

The following were present at the reception, in which Prime Minister General Goering also took part:

The Foreign Secretary, Freiherr von Neurath.

The Jugoslav Ambassador in Berlin.

The German Ambassador in Belgrade.

After some introductory remarks, the Fuehrer asked Prime Minister Stojadinowitsch whether he wished to make any special problem the subject of the discussions. Dr. Stojadinowitsch replied in the negative and added that he would be grateful if he could hear more details about the Fuehrer's general political aims and plans. The Jugoslav policy towards Germany could be summarized to the effect that Jugoslavia would never and under no circumstances become a party to an anti-German pact or enter into any anti-German combination. Germans and Serbs had not been enemies, but only opponents in the World War. The aim of his policy was to ensure that Jugoslavia and Germany would not even become opponents again in the future.

The Fuehrer expressed his complete agreement with this. Germany had only economic interests in the Balkans; she had political interests only in as much as she was interested in a political consolidation of the Balkans for economic reasons.

The Fuehrer then referred to the constant crisis in the world economic situation which represented a constant source of peril for Europe. Therefore we in Germany followed the principle of producing as hard as we could go.

Besides this general crisis in Europe, the Fuehrer continued, there were some more small crisis centres of which Czechoslovakia was one. She still seemed to misunderstand her position completely today. She was definitely not a unified national state but a country made up of different nationalities. One could not denationalise 3 million Germans who - what is more - were living on the German frontier. But he was still hopeful that reason would return to Prague.

As far as Jugoslavia was concerned, Germany was in favour of a strong Jugoslavia in her own most personal interests. Germany's friendship with Italy was in no way opposed to her friendship with Jugoslavia. If Germany and Italy were making common cause today, it was in their mutual interests.

He considered a Jugoslav-Hungarian rapprochement definitely possible. It could be rendered considerably easier by an appropriate treatment of the Hungarian minority. If Jugoslavia set store by coming to a clear understanding with Hungary and increasing this understanding in such a manner as to attain the character of a treaty, and should a guarantor be needed therefor, then Germany would be prepared to undertake this post of guarantor.

The Fuehrer then went on to discuss Geneva. The policy of the League of Nations was leading to the danger of involving the whole world in every individual conflict. It was of such a nature as to raise false hopes in the small countries and thus plunge them into ruin. A danger inherent in the present League of Nations was also the tendency to represent certain interests of individual Great Powers as world interests. Germany would not enter the League of Nations again, for we had no desire to fight for foreign interests.

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The Fuehrer stressed at this point that he had always sponsored German-English understanding and that he had always been prepared to negotiate with England in every case of conflicting interests which had arisen. Then there was the question of the Colonies; Germany needed colonies, in the first place in order to make good her lack of fats and wood. Germany, however, demanded only the former German colonies, i.e. those colonies that had been taken from her unjustly.

During the further course of the discussion the Fuehrer emphasized that he had been happy that the arrears caused by the war had disappeared in Jugoslavia. For that very reason he was following Jugoslavian policy with great sympathy and with the hope that it might ensure an independent and healthy Jugoslavia. Germany wanted no alliance with Jugoslavia, just as she had no alliance with Italy.

Prime Minister Colonel General Goering raised the Austrian question at this juncture. The Fuehrer observed in this connection that Germany policy was not aimed at anything but Austria. A restoration of the Habsbergs in Vienna or Austria's joining any anti-German combinations would be intolerable to Germany. Such things would continually entail latent tensions, with the perpetual danger of conflicts. But no matter what happened, the present Jugoslav frontier would remain as untouched as the present frontier on the Brenner. He knew, furthermore, that the group of German nationals in Jugoslavia was completely loyal to the Jugoslav state and he could only reiterate that he regarded the sound policy towards the minorities in Jugoslavia as Jugoslavia's best protection.

The Jugoslav Prime Minister thanked the Fuehrer for his explanation of German policy. The German attitude towards the Austro-Hungarian problem filled him with satisfaction.

The Austrian question was regarded by Jugoslavia as a purely internal German question. Jugoslavia would never fight because a people wished to unite. Jugoslavia was in complete agreement with Germany on the Hapsberg question and was prepared to march with her if necessary.

With regard to Hungary, the Hungarian minority in Jugoslavia was already fairly content today. He would also continue to try to meet their wishes. What he did with regard to Hungary he had to do within the framework of the little entente. He had protested against any extension of the little entente to a general pact of mutual assistance, but the Hungarian question was the nucleus of the alliance of the little entente. He believed that the Hungarians would understand this attitude of his too.

The Jugoslav Prime Minister observed in his concluding remarks that he could assure the Fuehrer that all Jugoslavia trusted the Fuehrer's words.

OFFICE OF U.S. CHIEF OF COUNSEL
COPY OF DOC. NO. L-273

NO. 344.

AMERICAN CONSULATE GENERAL
VIENNA, July 26, 1938.

SUBJECT: ANNIVERSARY OF ASSASSINATION OF CHANCELLOR DOLLFUSS.

STRICTLY CONFIDENTIAL.

THE HONORABLE
THE SECRETARY OF STATE.

WASHINGTON.

Sir:

I have the honor to report that on the 24th and 25th of July there was celebrated throughout the "Ostmark" the anniversary of the murder of Chancellor Dollfuss, now described "as that day four years ago when passionate and self-sacrificing National Socialists made the attempt to lead the Austrian provinces back to the German homeland in accordance with the will of their inhabitants" (NEUES WIENER ABENDBLATT, July 25, 1938).

The two high points of the celebration were the memorial assembly on the 24th at Klagenfurt, capital of the province of Carinthia, where in 1934 the Vienna Nazi revolt found its widest response, and the march on the 25th to the former Federal Chancellery in Vienna by the surviving members of the S.S. Standarte 89, which made the attack on the Chancellery in 1934 - a reconstitution of the crime, so to say.

The assembled thousands at Klagenfurt were addressed by the Fuehrer's deputy, Rudolf Hess, in the presence of the families of the 13 National Socialists who were hanged for their part in the July putsch. The Klagenfurt memorial celebration was also made the occasion for the solemn swearing in of the seven recently appointed Gauleiters of the Ostmark.

From the point of view of the outside world, the speech of Reichs Minister Hess was chiefly remarkable for the fact that after devoting the first half of his speech to the expected praise of the sacrifices of the men, women and youths of Austria in the struggle for a greater Germany, he then launched into a defense of the occupation of Austria and an attack on the "lying foreign press" and on those who spread the idea of a new war. The world was fortunate, declared Hess, that Germany's leader was a man who would not allow himself to be provoked. "The Fuehrer does what is necessary for his people in sovereign calm.....,and labors for the peace of Europe" even though provocators, "completely ignoring the deliberate threat to peace of certain small states", deceitfully claim that he is a menace to the peace of Europe.

The march on the former Federal Chancellery, now the Reichsstatthalterei, followed the exact route and time schedule of the original attack. The marchers were met at the Chancellery by Reichsstatthalter Seyss-Inquart, who addressed them and unveiled a memorial tablet. From the Reichsstatt-

halterei

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halterei the Standarte marched to the old RAVAG broadcasting center from which false news of the resignation of Dollfuss had been broadcast, and there unveiled a second memorial tablet. Steinhaeusl, the present Police President of Vienna, is a member of S.S. Standarte 89.

The apartment of Count Pierre de Leusse, Secretary of the former French Legation, who is temporarily assigned to Vienna as Consul, was on the line of march. Before he left for his office, he was informed by the porter that the police had ordere that Swastika flags be displayed from his windows. He refused. After his departure, a detachment of S.A. men entered and over the protest of his servant draped each window with large flags. When Count de Leusse returned to his apartment he found the S.A. men still before the house. He protested to the officer in charge, who adopted a very rude tone. The protest was unavailing. Count de Leusse then protested to the adjutant of Commissar Buerckel. The flags were finally removed, with an expression of regret.

Following the murder of Dollfuss, the Fuehrer addressed a message of condolence to the widow, and Mussolini appointed himself the protector of her children. I understand that Frau Dollfuss is now in Switzerland, that her appeals to Mussolini have gone unanswered and that she has not been permitted to enter Italian territory. According to a colleague who smuggled her out of Austria, her funds will shortly be completely exhausted.

Respectfully yours,

(signed) John C. Wiley
John C. Wiley,
American Consul General.

JHM/JCW/lmp.

File No. 841.5

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H1172-0016

SUPPLEMENT No.1

TO THE OFFICIAL CZECHOSLOVAKE REPORT USSR-60
GERMAN CRIMES AGAINST CZECHOSLOVAKIA

London, November 14th 1945

Constantin von Neurath's responsibility for crimes against Czechoslovakia

Czechoslovak Official Report submitted for the Nuremberg Trial to the Four Chief Prosecutors and other authorities concerned on behalf of the Czechoslovak Government by Colonel Dr. B. Ecer, Minister Plenipotentiary, Czechoslovak Representative on the United Nations War Crimes Commission, as supplement to the document "German Crimes Against Czecoslovakia" already submitted.

A.

General Responsibility as a Member of the Reich Regierung.

Neurath was Reich Minister for Foreign Affairs until February 5th, 1938, then President of the Secret Cabinet Council and in this capacity Reich Minister from March 17th, 1938 until September 27th 1941 he was Reich Protector, and in this capacity a member of the Reich Regierung as well.

He shared, therefore, the responsibility of the Reich Government for all crimes dealt with in our Report "German Crimes Against Czechoslovakia".

B.

Special Responsibility.

I. Responsibility for preparation of the invasion.

On March 11th 1938, at 10 p.m. the German Army entered Austria. After 11 p.m. Field Marshal Goering stated to M. Mastny, the Czechoslovak Minister in Berlin, that Czechoslovakia had not the least cause for disquiet, as Germany arboured no hostile intentions towards her and on the contrary desired to continue on the path of mutual reapprochement. At the same time Goering was very interested to know if Czechoslovakia had mobilised. At 11.45 p.m. the Czechoslovak Foreign Minister, Mr. Krofta, denied this report (which had been circutated by the Italian official Stefani Agency), in an interview with the German Minister in Prague, Eisenlohr. After 1 a.m. when in the meantime he had spoken to Prague by telephone, Minister Mastny again called on Goering. Goering repeate his statement that Germany had no hostile intentions towards Czechoslovakia and drew his attention to the fact that he (Goering) had been entrusted with the conduct of the highest affairs of State during the period of Hitler's absence,

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so that his words had the weight of a declaration made by the head of the State.

Germany had a considerable interest in Czechoslovakia's refraining from mobilising. On the morning of March 12th Goering himself rang up the Czechoslovak Minister, repeated his assurance and stated that, in accordance with this assurance, the army invading Austria had been ordered to remain 15 kilometres from the Czechoslovak frontier.

At 5.30 p.m. the German promises were again repeated by Baron von Neurath, chairman of the Privy Council, who had been entrusted with the conduct of foreign affairs for the period of Ribbentrop's stay in London. Neurath said that the tension which had arisen offered a suitable opportunity for an improvement in the relations between the two States. The condition for this, of course, was an improvement in the relationship with the Germans in Czechoslovakia. Germany would not interfere with this relationship.

Neurath assured the Czech Minister in Berlin that Germany will respect the Czechoslovak-German Arbitration Treaty concluded at Locarno on October 16th 1925 according to which all conflicts of any nature whatsoever between Czechoslovakia and Germany would eventually be presented for findings either to the Court of Arbitration or to the Permanent Court of International Justice.

A year after this conversation Baron von Neurath was residing in the ancient Castle of the Kings of Bohemia and the Presidents of Czechoslovakia at the first "Protector" of the German Reich over the Czech lands.

It is now beyond doubt that that assurance given by Neurath was a deliberate deception in pursuing the criminal Nazi plan for the future aggression against Czechoslovakia.

II. Responsibility as Reich Protector.

1. Neurath's Period of Office.

Neurath's office as Reich Protector ended on August 24th 1943 when Wilhelm Frick was appointed Reich Protector and K.H. Frank "Deutscher Staatsminister", who up to that time had acted as "Staatssekretaer", but in fact he was dismissed from his post on September 27th 1941.

Neurath was, therefore, actually Reich Protector from March 17th 1939 up to September 27th 1941.

2. Neurath's Task

The "legal" camouflage of the annexion of Bohemia and Moravia on March 15th 1939 was the creation of the "Protectorate of Bohemia and Moravia" by the Hitler Decree of [illegible]

H1172 - 0018

Decree of March 16th 1939.

Article 5. § 2 runs: "As the representative of the Fuehrer and Reich Chancellor, and as the delegate of the Reich Government, the Reich Protector has the task of seeing that the lines of policy laid down by the Fuehrer and Reich Chancellor are observed."

By accepting this appointment and by fulfilling his tasks according to Article 5 just quoted, Neurath is responsible for all acts committed by the German administration in the Protectorate carrying out the criminal Nazi policy.

3. Neurath's Crimes.

(a) He abused the economic and financial sources of Bohemia and Moravia for the German war machine

The first measure in this respect was the establishment of the relation between the Czech crown and the German mark 1:10. The relation was fixed by a Decree of Hitler in accordance with Count Schwerin-Krossigka and Neurath. The second measure of Neurath's was the establishemnt of the "custom-union" between the so-called Protectorate and the German Reich on October 1st 1940. Consequently customs, monopolies and excises of Bohemia and Moravia were collected for the German Reich. His third economic measure was to occupy the key positions in the Czech industry by Germans. We refer to the statement of the former Minister of Finance in the so-called Protectorate Government Dr. Kalfus interrogated on November 8th 1945 (Annexe No. 1)

(b) Germanisation of the Czech "autonomous" Administration.

In contradistinction to the Decree of Hitler of March 16th 1939 which guaranteed the so-called autonomy of the Czech people, von Neurath established a complete German control of the Czech public administration with the purpose to support the German war machine.

Soon after March 15th 1939 Neurath ordered the dissolution of the autonomous representative bodies of the Czech people in Bohemia and Moravia i.d. country - district - and municipal councils elected in 1935 by free and secret vote of the Czech Nation. He appointed German officials and chiefs of the country- district and municipal administration and eliminated completely the participation of councellots elected by the people. In some cases he appointed Czechs as heads of the former autonomous administration but in such cases he appointed at the same time Germans as their deputies, So for instance in Bohemia he appointed as chief of the administration of this province (the so-called president of Province of Bohemia

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the Czech official Mr. Sobotka and later on Mr. Biernert (who later on became Minister of Interior in the so-called Protectorate Government) but at the same time he appointed as their deputies the following Germans: Dr. Preibsch, Schubert and Naudee. At the same time when the German Naudee was the deputy president there was no Czech president so that in fact the administration of Bohemia was in the hands of the German Naudee. In Moravia the German Dr. Schwabe was appointed president of the Province of Moravia. At the head of the district administration industrial districts like Plzen Mor. Ostrava, Olomouc, Brno, were put Germans and in the various towns and villages of such districts the Czech Mayors were dismissed and replaced by German administrators. Freeve Neurath introduced the institution of the so-called "Landrat" and "Oberlandrat for the administration of German affairs in Bohemia and Moravia. These German officials appointed for purely German purposes influenced also the Czech public administration. The result of all these measures was that the whole Czech "autonomous" administration of Bohemia and Moravia came under the control of Germans and consequently was used for the preparation of German wars of aggression and when the war broke out, for the German war machine. In this respect we refer to the statement of the former President of Bohemia and later Minister of Interior in the Protectorate Government Mr. Biernert (Annexe No.2) and the statement of the former Prime Minister in the so-called Protectorate Government Dr. Krejci (Annexe No. 3). Both were interrogated on November 8th 1945

(c) Closure of Czech schools, dissolution of Czech organisations for physical training and recreation, confiscation of their establishments and property in favour of the German war machine.

In contradiction with Article 12 of Hitler's Decree of March 16th 1939 on the establishment of the so-called Protectorate of Bohemia and Moravia which provided that the existing law should be left in force when it does not contradict the purpose of the Protectorate Neurath.

a.a) ordered the closure of Czech universities and similar schools and the partial closure of Czech secondary, upper elementary and elementary schools. See details in § 6 of this document.

b.b) suppressed the autonomous Czech boards of education for Bohemia and Moravia and replaced them by German school inspectors.

c.c) suppressed and dissolved the Czech organisations for Czech sport and physical education like, Sokol, Orel, the Federation of the Social Democratic Union for Gymnastics and he confiscated all property of these organisation

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in favour of the German SS, SA, Hitler Youth RAD (Reichsarbeitsdienst) and so.

d.d) dissolved the organisation Y CA and YWCA and confiscated the property also in favour of various German organisations. He suppressed the centres of recreation for young apprentices and students and confiscated their properties in favour of German organisations. He persecuted ecclesiastical orders whose purposes was educational and charitable activity. All these organisations and institutions mentioned above were established according to Czech law which in this respect was not in contradition with the purpose of the German so-called protection.

The purpose of Neurath's measures against them was the support of German war efforts because all the establishments of the dissolved organizations and unions were put into the service of training members of SS. SA, German forces and Hitler Youth. We refer in this respect to the statements of Mr. Biernent (Annex No. 2) and Mr Krejci (Annex No. 3).

(d) Mass Terrorism.

a.a.) In August 1939 Neurath issued a proclamation against the sabotage in which he stated that for all acts of sabotage the whole Czech population will be held responsible. We refer to the photostat copy of this proclamation of Neurath (Annex No. 6). This proclamation was the beginning of the legal basis for further terroristic actions against the Czech people.

b.b) On and after September 1st 1939 about 8,000 prominent Czechs were arrested in Bohemia and Moravia as hostages the majority of them were sent to concentration camps, many of them executed or starved or tortured to death. The Gestapo carried out this action but the Gestapo was subordinate to Neurath as Reich Protector. Neurath had knowledge of these terroristic actions, he tolerated them and supported them. We refer as to this point to the statement of Biernert (Annex No. 2) Krejci (Annex No. 3) and Havelka (Annex No.4), the latter interrogated on Nov. 9th, 1945.

c.c.) We refer to pages 53 and 54 of our document "German Crimes Against Czechoslovakia" dealing with the students massacres and we add as evidence of Neurath's guilt or complicity the following facts:

On November 15, 1939, university students of Prague attended the funeral of Jan Opletal who had died of wounds received at the hands of the Gestapo. There arose turbulence.

On the following day, November 16th, Neurath and Frank left for Berlin by aeroplane and had a meeting with the raging Hitler. In the course of the same day strong detachments of SA. and SS. reingorced by motorized regiments with full equipment, left Berlin for Prague. In the night of November 16th-17th they made the ill-famed assault upon the students which was followed by massacres and deportation of students in Prague, Brno, and other places.

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The conversation of Neurath with Hitler and Frank in Berlin obviously concerned the steps to be taken against the students as they were actually taken immediately after that conversation. In fact, Neurath issued on November 17th 1939 a proclamation signed by himself which gives full evidence of his guilt. The photostatic copy of this proclamation is attached with this Report (Annex No. 7). Neurath enumerated in this proclamation his crime as follows:

The closure of Czech high schools for 3 years.

The shooting of nine Czech students.

The imprisonment of a great number of Czech students.

(e) Support of the terroristic and criminal organization of Czech Fascists called "Vlajka" (Flag).

"Vlajka" was in the time of the first Republic an illegal organization with anti-Republican and Pro-Nazi programme and activity. Neurath had a discussion about this organization with the late so-called president of Bohemia and Moravia, Hacha. We annex a photostat copy of Neurath's Report on this talk with Hacha dated March 27th 1940. In this talk, according to Neurath's own report he - Neurath - expressed his attitude to the above-mentioned terroristic organization of Czech Fascists towards the President Hacha in the following words:

"Immerhin muesse ich konstatieren, dass diese Bewegung die einzige sei, die sich bisher positiv zum deutschen Reich und zur Mitarbeit gestellt habe".

("I must state that this movement is the only one which took a positive attitude towards the German Reich and towards collaboration.")

As to the financial support of this organization by Neurath we refer to the statements of Dr. Krejci (Annex No. 3) and Dr Havelka (Annex No. 4). Neurath was appointed as protector of Czech people, he knew very well that this Czech Fascist organization collaborated already before 1939 with the Nazis and the Gestapo against the Czech people, that the members of this organization on October 28th 1939, the Czech National Day, attacked the Czech patriots in the streets, insulted and injured them and helped the Gestapo

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to arrest them, that the members of this organization terrorized Jews and finally that they were employed by the Germans after September 1st 1939 as members of the so-called "Werkschutz" (protection of works) that they enjoyed a kind of priority because their purpose was to watch the Czech patriotic workers and to denounce them to the Gestapo for deportation to the concentration camps.

(f) Anti-Jewish Measures.

Neurath first tried to induce the Prime Minister of the Protectorate Government General Elias (executed by the Germans in 1942) to issue on behalf of the Czech Protectorate Government anti-semitic laws and orders. Neurath's purpose was to create abroad the impression that the persecution of Jews was an action approved and ordered by the Czechs. General Elias resist resisted and so Neurath issued himself as Reich Protector on June 21st 1939 the first anti-Jewish laws and orders followed later on by others and by terroristic actions against the Jews.

The result was an unprecedented persecution of Jews in Bohemia and Moravia, the death of tens of thousands of them in the concentration camps, the confiscation and robbery of Jewish property in value of some hundreds of millions of crowns. As to this point we refer to the statements of Mr Biernert (Annex No.2) and Dr. Krejci (Annex No. 3).

(g) Concentration Camps.

The criminal responsibility for the crimes committed on Czechoslovak citizens in the concentration camps lies in the first place on Hitler and the members of the German Government, further on thos persons who ordered the arrests of Czechoslovak citizens and their internment in a concentration camp, and on all those who carried out these orders.

It was the police, especially the Security Police, including the Gestapo, which inflicted "preventive custody" and "Protective custody", both of which were carried out in the various concentration camps.

The Reich Protector was the superior of all authorities, offices and officials of the Reich in the Protectorate. 1 of the Ordinance of 1st

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September 1939, RGBI, p 1681 Annex 2 of our first Report). He was, therefore, the superior to the commanders of the entire police apparatus in the Protectorate.

The responsibilites of Neurath as the highest responsible official of the police apparatus in the Protectorate is evident. He is responsible for the carrying through of the entire Nazi policy of systematic terrorism, mass arrests, deportation, murder, ill-treatment etc., in the concentration camps with regard to Czechoslovak citizens.

(h) Special Courts

We refer to our Report "German Crimes against Czechoslovakia" where we dealt with the criminal character of the special courts.

The public prosecution was an administrative body which received its instructions from the administrative authorities superior to it. Neurath was the highest administrative official in the so-called Protectorate of Bohemia and Moravia during the time under consideration and, therefore, the authority by whom, in the last resort, the instructions to the prosecution were issued.

I sum up: Constantin von Neurath is guilty of crimes enumerated in the indictment submitted to the International Military Tribunal by the Four Great Powers especially on page 32 of this indictment as far as Czechoslovakia is concerned.

Colonel Dr. B. Ecer

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ENCLOSURE 1.

Statement

made on November 8,1945 by Dr. Josef KALFUS, departmental chief of the Ministry of the Interior in Prague, former member of the Protectorate Government, born on June 25, 1880 at Zelezny Brod, with right of domicile in Prague, resident at Praha-Dejvice, Alesova 15.

The witness was advised to tell the truth and stated:

As to the characterization of Neurath's personality, it is my conviction, supported by experiences during various negotiations that Neurath was chosen for the office of Reich Protector because of his ability to act as a refined diplomat contrary to K.H. Frank whose behaviour was brutal. But as to the carrying out of aims, pursued by both of them on our territory, we - together with our colleagues in the Protectorate Government at that time - came to the conclusion that both of them fully agreed upon these aims.

They had the same aim in the systematic exploitation of our territory for political, military and economic purposes of the Reich.

Although Neurath did not participate directly and personally in the various single acts, he was nevertheless the representative of the Reich and subject only to Hitler; he was, therefore, fully responsible for all these acts, because he approved them in the final phase as the only competent and responsible agent. Undoubtedly he was responsible for the fixation of the course of the Mark in relation to the Crown per 1 : 10. This fixation of the course resulted in valuable Czech products being produced here at low production costs and streaming into the Reich at low prices, while the Czechs were paid by paper Marks, which gradually increased to an avalanche. Although those Marks were changed into Crowns by way of currency and money deposits, they were steadily reduced in value by the increased price level: in due course their value was reduced to a half of

the former value according to the official index (without regard to the black market prices.) The economic effects of this flowing off of goods into the Reich were such that we were deprived of all raw materials and stocks of unfinished and finished goods and that we sold the better part of our national labour for paper demands against the Reich. A further effect was the depreciation of the production equipment and damages to the health of the nation, because the greater part of our production was - by the systematic economic measures - aimed at war purposes, while the consumption of the population was intentionally lowered to a level endangering the health of the people. We have to point out that as to the whole lowering of the living standard the German population of the Protectorate was given priority in supplies at the cost of the Czech nation.

All told, we may estimate this exploitation of the Czech territory as to the substance and the current national income as well at 250 milliard Crowns.

Neurath is responsible for this exploitation in the period of his being Reich Protector, i.e. from April 1939 until September 27. 1941, when R. Heydrich was appointed Deputy Reich Protector and Neurath left the country. Nevertheless it might be assumed that the foundations for this exploitation were laid during the period of Neurath's stay in office, even if this exploitation considerably increased during the following regime of Heydrich and Frank. We may say that the erection of the Customs Union between the Protectorate and the Reich from Octoberl, 1940, was one of the measures which served that exploitation. Neurath is legally and actually responsible for the Customs Union, because the Protectorate Government endeavoured for nearly one and a half year to prevent that measure by preventing many reasoned notes and by personally intervening with Neurath and his subordinates. Nevertheless the Customs Union was not prevented.

The effects of the Customs Union were:

(1) the regime of customs, monopolies and taxes of consumption was united, their profit was then, by one sided measure taken as income of the Reich,

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(2) the economic barrier between the Reich and the Protectorate was destroyed by the abolition of the Custom boundaries in connection with some technical currency measures. That resulted in the flowing off of valuable goods from the Protectorate into the Reich in unlimited quantities while those goods were replaced by inflation of the currency and credit.

All told we may say that the economic system introduced then by Neurath and after him by later German regimes were nothing else than a sytematic organized robbery.

As to the occupation of decisive positions in the Czech industry and finance, it may be pointed out that together with Neurath a vast economic machinery was installed, which immediately occupied the chief position in industry (Skoda Works, Brno Armament works, Steel Works at Vitkovice). Important banks (Bohemia Discount Bank, Bohrmian Union Bank, and Laender Bank) were occupied as well. Thus the Germans attained further industrial positions because those Banks controlled a large part of Czech industry (Industrial concerns).

Prague, November 8, 1945.

Finished, read, signed: (sgd) Dr. Josef Kalfus

In the presence of:

(sgd) Dr. Zavadil

(sgd) Dr, Zak.

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ENCLOSURE 2.

Statement

made on November 8, 1945, by Richard HIENFERT, member of the former Protectorate Government, born on September 5, 1881 in Prague, with right of domicile in Prague, resident in Prague II., Na Rybnicku 18, in the premises of the ministry of the Interior, Political Intelligenge Department in Prague:

The witness was advised to tell the truth and stated:

As to the Characterisation of Neuraths personality, I know him as a polished diplomat concerning his behaviour. When we got to know him more closely, we noticed that he was ruthless towards the Czechs and that he would not be moved by any thoughts of the Czechs people hurt in its nation: feelings. As Regional President of Bohemia I knew that it was Neurath who subjected the political administration in Bohemia and Moravia to German control, both the state administration and the local government as well. As to the state administration, the influence of the Reich Protector opera: in such a way that the Reich Protector intimated to the President of the State the persons who were to be appointed and the President of the State then appointed Regional Presidents and their deputies. A similar procedure took place as far as appointing of District Chiefs is concerned. As to the influence of the Reich Protector upon the local government, I may stat according to my experience that the Regional authority appointed the mayors of the boroughs, but after the previous approval by the Reich Protector's office. This office saw to it that the State administration in the regions and districts was carried under the direct influence of the Germans. Where e.g. a czech national was appointed a Regional President a German became his deputy. The following Germans were appointed in succession Deputies of the Regional Presidents:

Dr. Preibisch, Deputy President of Bohemia,

Schubert, Deputy Regional President of Bohemia, later on

Naudée , Vice-President of Bohmis (an independant office in Brno(Moravia)

I point out that all German officials were appointed directly by Neurath. Oberlandrats and Landrats as well arrogated for themselves the

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entire public power in due course. The purpose was to germanize the Czech public administration in order to adapt it better to war purposes.
In December 1939 Neurath summoned me and asked me to explain to him the principles of local government. At this occasion Neurath stated about the Czech public administration: Das Macht mir Keine Sorge, das muss in zwei Jahren alles verdaut warden," (I do not worry about that, all this must be digested in two years".) I had the impression that Neurath pursued the aim that the Czech puplic administration be absorbed by German admistration Besides that Neurath remarked that the measures aiming at co-ordinations of the Czech public administration had to be fully carried out. His Statement was "Das Muss streng durchgefuehrt werden, es ist ja Krieg". (It must be strictly carried out, there is a war on"). I had the impression that Neurath wanted to adapt the Czech public administration in the Protectorate in such a way that the Reich should have a calm Hinterland. I remember also that Neurath caused the abolition of the Regional School Councils and the appointment of German School Inspectors in their place.

Neurath violated the order of Hitler issued on March 16, 1939:
he ordered the dissolution of the regional representative bodies,
he caused that the Czech workers were being sent to the Reich from April 1939 onwards in order to work for the war-machine of the Reich, he ordered the closing down of the Czech Universities and of many Czech secondary and elementary Schools.
he abolished the Czech gymnastic units and associations, such as Sckol, Orel, FDTJ, ordered the confiscation of all property of these gymnastic organizations,
he abolished the organization YMCA,YWCA, and ordered the confiscation of their property,
he abolished the Czech recreation homes and recreation camps for young workman and students and ordered the confiscation of their property, he was guilty of persecution of Church Congregations as e.g. the Congregation of the Ursilines, which had an educational and humanitarian task

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university teacher, Army officers, and well-to-do Czech citizens. The Gestapo carried out the arrests, but on the order of the Reich Protector. I myself was arrested on September 1 1939, as well. I was taken away into the prison at Pankrac and interrogated in Petschek palace. General Jezek, on behalf of the Ministry of the Interior, intervened for my release. I was then released. The consent to the release by order of the Reich Protector arrived four hours later. That shows that the whole action was directed by him.

I may state the following about the anti-Jewish measures on the territory of the Protectorate: The late Jewish Rabbi, Dr. Friedmann informed me at that time about the disagreement between General Elias and Reich Protector Neurath about the introduction of anti-Jewish measures in Bohemia and Moravia. According to this statement, General Elias refused to introduce those measures on the territory of the Protectorate. It was therefore ordered by the Reich Protector's office that against the Jews should be proceeded in the same way as in the Reich. I should like to point out in conclusion that the Reich Protector's Office and he himself respectively represented the entire legislative and administrative power of the Reich that nothing would be done in the Protectorate without his will and that everything was aimed at the realization of the interest of the Reich and its military plans.

Prague, November 8 1945.
Finished, read, signed: (sgd) Richard Bienert
In the presence of:
(sgd) Dr. Zavadil
(Dr. Zak(sgd).

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Statement ENCLOSURE III

Made on November 8 1945, by Dr. Jaromir Krejci, former member of the Protectorate GOvernment, born on June 27 1892, in Kremenice, domiciled in Prague, resident in Praha XIX, Na Piave, in the premises of the Ministry of the Interior, Political Intelligence Department in Prague.

The witness was advised to tell the truth and stated:

I should characterize Neurath as a cunning diplomat who used polite forms of speech, a very nice gentleman in personal and social behaviour who misled everybody who got in touch with him just from time to time, and who had no proper opportunity to deal with him in important matters. I had the impression at the beginning that Neurath wanted to make a good impression upon the Czech people and its representatives as if he were an objective and impartial man. During the time I came to the conclusion that Neurath, in spite of the fact that he possessed a general power of attorney of the Protectorate from Hitler, and according to the instructions issued by Hitler and his full confidence (being not only Reich Protector, but also member of the German Government and President of the Secret Council of the Reich), he never used his high position in favor of the Czech nation, but on the contrary he sheltered behind his indolence all misuses of his subordinates, and he normally paid no attention to the intervention of Jr. Hacha however well reasoned they were.

Neurath was the only representative of the Reich Government on our territory, he was subordinate to nobody but Hitler himself and he is thus responsible for any action undertaken by the Germans which has affected our nation. According to my opinion, the Germans intended in the beginning to annex Bohemia and Moravia to the Reich without giving the country any independent position. A proof of this was the invasion of our country which took place before the Protectorate has been established on the morning of March 14 1939.

I know all the property of those organizations was handed over for the use of the German institutions, SS, SA, Wehrmacht, Hitlerjugend, RAD (Reich-arbeitsdienst). All that is a matter of common knowledge. At the outbreak of the war on September 1 1939, mass arrests of so-called hostages took place all over the Protectorate. The greater part of them were higher officials,

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Neurath must have known about it. All that what happened on the 15th March 1939 should have happened during a later time by systematic reduction of the autonomy of the Protectorate and by subordinating the administrative of the country in Bohemia and Moravia to the supervision of the authorities of the Reich as well as by reduction of the bodies of self-government. In this way it was intended to tie the whole national capacity to the war effort of the Reich.

I know that the gymnastic associations have been disbanded and their property confiscated at the order of the Reich Protector and their funds and equipment handed over to be used by German associations such as SS, SA, Hitler Youth and so on.

On the 1st September 1939 when Poland was attacked by the German army, arresting took place on a large scale especially arresting of army officers, intelligentsia and important political personalities. The arresting was made by the Gestapo, but it could not be done without the approval of the Reich Protector, because it was an action on such a large scale and of great importance and it was a deep penetration into the life of the Czech nation. It was therefore not only an independent action of the Chief of the Gestapo, but it must have taken place at the order of the Reich Protector.

I know according to my personal experience that the "Vlajka" ("The Flag") was supported by the Reich Protector's office and by himself, because its public meetings were attended by high German officials of this office. They forced (K.H. Frank personally) members of the Protectorate Government to recognize Vlajka as a legal organization. I think that Vlajka was financed by the Reich Protector's office. As far as the Jewish problem is concerned the Government of the Protectorate was forced by the Reich Protector to an action against the Jews and when this pressure had no result, the Germans or the Reich Protecotr's office started the persecution of Jews according to the laws in the Reich. The result was that tens of thousands of Jews were persecuted and lost their lives and property.

Prague, November 8, 1945.

Finished, read and signed; (sgd) Dr. Krejci

In the presence of : (sgd) Dr. Zavadil
(sgd) Dr. Zak.

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ENCLOSURE 4.

Statement

made by Dr. Jiri Havelka, born on July 25, 1892, in Orel, (Russia) domiciled in Prague, resident Praha XII., Chodska 9, on November 9, 1945 in the premises of the Ministry of the Interior, Political Intelligence Department in Prague.

The witness, after having been advised to tell the truth, stated:

I would characterize Neurath as a man of society who saw and felt a storm was passing over Europe which he had to avoid and therefore he did not expose himself in any way. He was not interested in the Czech nation and interventions of Cabinet Members and Dr. Hacha pressing Czech demands were on the whole without any results. Neurath was responsible for all actions which were carried out on the territory of Bohemia and Moravia and to which his attention was being drawn by the members of the Government and by Dr. Hacha.

There were especially the following actions:

arresting of Czechoslovak Army officers, intelligentsia, members of the Czechoslovak Legion of the First World War and politicians at the time of the attack on Poland by the German army.

There were about 6 - 8 thousand persons arrested. They were hostages. The Germans themselves called them "prisoners d' honneur." The majority of those hostages were never interrogated and all steps taken at the office of the Reich Protector in favour of those unfortunate men were without any result.

Neurath as the only representative of the Reich Government in the territory of the Protectorate of Bohemia and Moravia was responsible for the execution of nine students on November 17, 1939. The execution took place shortly after the students' riots had occurred. There were carried out without previous trial and without any religious consolation had been given to the victims. Neurath told to Dr. Hacha when he intervened in this case that the execution took place without previous trial, but that he was warning Dr. Hacha's Cabinet to resign because the resignation

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could result in far greater detriment for the Czech nation.

As far as the action against the Jews is concerned, Neurath issued an instruction concerning the confiscation of Jewish property and the definition who is to be considered a Jew. Neurath himself, after having issued this instruction, ordered the persecution of the Jews and the confiscation of their property and its handing over to the Germans. This action was being undertaken by German administrative authorities exclusively without Czech authorities taking any part.

Neurath or his office forced the Protectorate Government to issue an instruction about the activity of Jews in public life. The Government of the Protectorate with its Prime Minister General Elias at the head opposed this and that was why the Germans took the persecution of Jews into their own hands.

I know that Neurath supported the criminal organization "Vlajka." In any case he did so morally. The Protectorate Government strongly persecuted this organization "Vlajka" and was several times about to disband it. This was never done because of the resistance of Neurath, who himself said to Dr. Hacha that "Vlajka" was the only group which had a positive attitude towards the Reich. Neurath's support of the "Vlajka" is proved further by the fact that in spite of repeated interventions to stop the impetuous articles against General Elias, against me, and the whole cabinet by means of censorship, Neurath never took any action against "Vlajka."

I cannot say anything substantial about the financial support of the "Vlajka", but it must have been supported, because right at the beginning of 1940 "Vlajka" was not able to publish its periodical of the same name and was obliged to stop its printing for a time. After a short time when Vlajka had got money from "somewhere", it started again to publish its periodical in full size. I know that Dr. Hacha submitted drafts of his speeches to the Reich Protector Neurath for their correction. At one occasion in 1940 Neurath asked him strictly to conclude one of his speeches with an attack against Dr. Benes. After the interview in the Cernin Palace, Dr. Hacha

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showed a draft of this speech to me and General Elias, which contained a note in Neurath's writing: "Angriff gegen Benes" (Attack against Dr. Benes).

Neurath in his capacity of a representative of the German Government in the territory of Bohemia and Moravia is responsible for persecution of members of the Czechoslovak Legion of the First World War who were employed in public services. The Reich Protector's office wanted to put into the general instruction concerning the retiring and dismissing of superfluous civil servants in March 1941 an article saying thaton the first place all members of this legion should be dismissed as unreliable elements. In spite of the fact that Neurath and Dr. Popelka came later to an agreement that only those members of the legions had to be dismissed whose unreliability had been proved, Neurath kept to his previous formulation of the instruction and denied the agreement.

I can only prove that Neurath was in the territory of Bohemia and Moravia the only representative of the German administrative and legislative power and he is thus personally responsible for all crimes committed against our will and in spite of our protests by the German administrative with his consent.

Prague, November 9, 1945

Fonished, read, signed: (sgd) Havelka

In the presence of: (sgd) Dr. Zavadil

(sgd) Dr. Zak

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Nuernberg December 8the 1945

Supplement Nr. 3 to the Official Czechoslovak Report

called "German Crimes Against Czechoslovakia". (998-PS)

Presented by order of the Czechoslovak Government
by Colonel Dr. B. ECER, Plenipotentiary Minister,
Czechoslovak Representative to the Commission of
the United Nations for the Investigation of War
Crimes in London, at the time Chairman of the
Czechoslovak Delegation to the Nuernberg Proceedings.

By order of my Government I submit Supplement Nr 3 of the Czechoslovak Report in Accordance with Art. 21 of the Charta containing a statement made by K.H. Frank on November 26, 1945 when interrogated by officials of the Ministry of Interior in Prague.

For Colonel Dr. B. ECER
Lt. Col. General Staff J. NOVAK

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"The funeral of student O p l e t a l who had been badly injured during the manifestations of October 28, 1939, took place on November 15, 1939, in Prague.

During this period Reich Protector Konstatin Freiherr von Neurath was permanently residing in Prague. He was, however, not in Prague on October 28, 1939, i.e., at the time of the first demonstrations, since I had to inform him of these happenings by telephone and also of the fact that Hitler wished to speak to him. Neurath was at this moment either Leinfelden or in Berlin.

Both of us, i.e., Neurath and myself, as well as the plenipotentiary of the Wehrmacht with the Reich Protector of Bohemia and Moravia, General Frederici, were ordered to the Reich Chancellery in Berlin to see Hitler on November 16, 1939, together with the envoy of the Protectorate Dr. Chvalkovsky, to attend a personal interview with Hitler.

Adolf Hitler told Chvalkovsky, with orders to pass on this message to his government that in spite of his warning demonstrations had taken place on October 28, 1939. He told him that these repeated demonstrations, which endangered the security of the Reich would be met, by shooting the instigators and by imprisoning a large number of students which would be deported to concentration camps. Furthermore he had given an order to the effect that all universities would be closed for a period of not less than three years, their property secured and their premises and materiel put to use for the benefit of the German authorities.

I seem to recall that before Chvalkovsky entered the conference room Hitler told von Neurath, General Frederici and myself in detail what he intended to say to the Czech envoy. Hitler's statement was accepted by Reich Protector von Neurath, myself and General Frederici without discussion or contradiction, and the pertaining facts were

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acknowledged by us.

I well recall the ensuing scene in the conference room which took place in Chvalkovsky's presence and I also remember how, after Hitler had finished his statement, everybody got up and filed silently out of the room.

I cannot recall exactly how we returned from Berlin to Prague, but I believe that we went by air. However, if Neurath did not return by plane he might have taken his private saloon car for the way back. The conference with Hitler took place during the noon hours and the trip from Berlin to Prague by express takes approx. 6 hours.

In the night of 16th to 17th November 1939 I attended a conference at the Petschek-Palais (H.Q. of the Gestapo in Prague) in reference to the identification of the instigators and arrest of students. In any case Reich Protector v. Neurath was informed as to the result of this conference, since he signed a proclamation the following day, containing the following sentence:"...to take severe measures against a number of participants and ... to shoot 9 of the culprits..." This document was dated November 17, 1939, by v. Neurath who did not have any objections to the execution of 9 students nor did he take exception against the number of students who were to be brought to concentration camps nor did he demand any other alterations.

Concerning the question what my reactions would have been had von Neurath as Reich Protector demanded any attenuations, I have to state that I would have had to conform with his opinions. Neurath had never bothered to acquaint himself with the details of the order and its execution, the names or fate of the victims, neither at the time of the signing of the proclamation nor when he signed the original draft.

In conclusion I wish to state that Hitler merely spoke of instigators, however, he did not mention a given number of instigators,

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nor did he name the number of people to be imprisoned. Hitler only wished with this order to exercise the right of retaliation against demonstrations and to counteract the Czech intelligentsia.

The full responsibility for all these happenings, shootings, arrests, deportation, etc. of students rests with the Reich Protector von Neurath and myself as much as with Himmler and Hitler, because the students were shot without having been permitted to take recourse to legal procedure. No sentence was passed.

Concerning the question whether these executions could be called murder I admit that, in accordance with humane sentiments and humane laws, they should be considered as such.

Closed, read, acknowledged and signed:

K. H. FRANK.

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EXTRACT FROM "GERMAN CRIMES AGAINST POLAND"

(Official Report of the Polish Government).

Paragraph 7 Page 4.

On November 5th 1937 the then Polish Ambassador was received by HITLER in the presence of the indicted von NEURATH. On this occasion HITLER declared:

"There would be no changes in the legal and political position in Danzig.

The rights of the Polish population in Danzig would be respected.

The rights of Poland in Danzig would not be impaired"

"HITLER twice emphatically remarked: Danzig is mit Polen verbunden" (Danzig is bound up with Poland).

(7903)

GERMAN CRIMES
AGAINST
CZECHOSLOVAKIA

Czechoslovak Official Report for the persecution and trial of the German Major War Criminals by the International Military Tribunal established according to the Agreement of the Four Great Powers of

August 8th, 1945

London, September, 1945

Pp.60-63:

(5) Religious Persecution.

The suppression of religious liberties in Czechoslovakia and of the educational and national function of the Church is typical of what the Nazis wished to enforce as a rule of darkness over the whole of Europe.

(a) Catholic Church.

The maltreatment of the Roman Catholic priests was very severe. In the areas annexed to Germany after Munich a number of priests of Czech origin were robbed of their property and expelled. A wave of persecution began with the occupation of Bohemia and Moravia. Pilgrimages to the National shrines were prohibited in 1939. At the outbreak of war, 487 Catholic priests were among the thousands of Czech patriots arrested and sent to concentration camps as hostages. Venerable high ecclesiastical dignitaries were dragged to concentration camps in Germany. It was a common sight on the roads near to the concentration camps to see a priest dressed in rags, exhausted, pulling a cart and behind him a youth in SA uniform, whip in hand. Religious orders were dissolved and liquidated, their charitable institutions closed down and their members expelled or else forced to compulsory labor in Germany. All religious instruction in Czech schools was suppressed. Most of the weeklies and monthlies which the Catholics had published in Czechoslovakia, had been suppressed from the very

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beginning of the occupation. The Catholic gymnatic organization "Orel" with 800,000 members was dissolved and its property was confiscated. To a great extent Catholic church property was seized for the benefit of the Reich.

(b) Czechoslovak National Church.

The Czechoslovak National Church was persecuted because of its very name, because of its Hussite sympathies and democratic constitution and because of its connection with the establishment of the Czechoslovak Republic. The Czechoslovak Church in Slovakia was entirely prohibited and its property confiscated under German compulsion in 1940. It has been allowed to exist in Bohemia and Moravia but in a crippled form under the name of the Czecho-Moravian Church.

(c) Protestant Churches.

The Protestant Chruches were deprived of freedom of preach and gospel. German secret state police watched closely whether the clergy observed the restrictions imposed on it. Nazi censorship went so far as to suppress hymns that praised God for the nation's liberation from the hands of the enemy. Some passages from the Bible were not allowed to be read in public at all; the Nazis strongly objected to some christian doctrine being promulgated from the pulpit, e.g. those about the equality of all men before God, the universal character of the church of Christ, the Judaistic origins of the gospel, etc.

Reference to HUS, ZIZKA, and the Hussites and their achievements as well as to MASARYK and his Legions was strictly prohibited, even the religious text books were changed. Church leaders were especially persecuted, scores of ministers were imprisoned in concentration camps, among them the General Secretary of the Students' Christian Movement in Czechoslovakia. One of the Vice-Presidents was executed.

Protestant Institutions such as the YMCA and the YWCA were suppressed throughout the country.

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Among the murdered Czech ministers was a pastor of the Czech Brethren Evangelical Church, who was killed with his wife among the hostages executed for the assassination of HEYDRICH.

The leading Theological School for all Evangelical denominations, HUS Faculty in Prague and all other Protestant training schools for the ministry were closed down in November 1939, with the other Czech universities and colleges.

(d) Czech Orthodox Church.

The hardest blow was directed against the Czech Orthodox Church. The Orthodox churches in Czechoslovakia were ordered by the Berlin Ministry of Church Affairs to leave the Pontificat of Belgrade and Constantinople respectively and to become subordinate to the Berlin Bishop. The Czech Bishop GORAZD was executed together with two other priests of the Orthodox Church. By a special order of the Protector DALUEGE, issued in September 1942, the Orthodox Church of Serbian Constantinople jurisdiction was completely dissolved in the Czech lands, its religious activity forbidden and its property confiscated.

All Evangelical education was handed over to the civil authorities and many Evangelical teachers lost their employment; moreover the State grant to salaries of many Evangelical priests was taken away.

(e) Jews.

The racial persecution of the Jews is dealt with separately (Section IV).

In connection with religious persecutions, we may mention the statement of K. H. FRANK, made on June 11, 1945 when interrogated by Col. Dr. ECER at Wiesbaden.- FRANK stated that in November 1938 the Jewish places of worship in the "Sudeten" province were torn down by express order of the Party, i.e. the Party Chancellery of Munich at the head of which at that time was Rudolf HESS, and in the Autumn of 1941 it was HEYDRICH who ordered all synagogues to be closed, because "they had served as

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meeting places for aggressive Jewish elements." Many synagogues were demolished, others transformed into marketing halls or into auction halls for the sale of confiscated Jewish furniture and household goods.

TRANSLATION OF DOCUMENT 1654-PS
Office of U.S. Chief of Counsel

1935 REICHSGESETZBLATT, Page 369-Nr. 28
dated 16 March, 1935.

TO THE GERMAN PEOPLE!

AN DAS DEUTSCHE VOLK!

When in November 1918, the German people trusting the assurances given in Wilson's 14 points, laid down their arms, after four and a half years of glorious resistance in a war which they never wanted, they believed, not only to have rendered a service to tortured mankind but also toward a great idea. Suffering the most, under the consequences of this insane battle, millions of our people faithfully grasped at the thought of a reorganization of the relation-ship between people. This would be improved by the elimination of secret diplomatic cabinet politics on one hand, and the horrible means of war on the other. The harshest results of defeat which are history appeared, to many German people as the necessary sacrifices in order to free the world once and for all of similar horrors.

The idea of the League of Nations has probably not aroused a more hearty approval in other nations than in the German which lost all earthly happiness. And so it was easy to understand, why the German people occupied and fulfilled the inane requests for destruction of armnaments. The German people, and especially the administration, were convinced that through their fulfillment of orders for disarmament, laid down at Versailles, an international disarmement program was going to be started and guaranteed. For only in a fulfillment of these orders, by both sides, lies a moral sensible justification for a demand, which if unilaterally imposed and executed, will lead to eternal discrimmination and with that, to a declaration of inferiority, of a great nation. But such a peace treaty could never be the pre-requisite for a real inner reconciliation of the people and with that lead to a pacification of the world; but it would only create an eternal burning hatred. Germany has fulfilled the imposed disarmament obligations laid down by the Inter-Allied Control Commission.

The following were the works of the destruction of the German military power and its means which were certified to, by this commission.

A. Army

59 897	guns and barrels
130 558	machine guns
31 470	trench mortars and barrels
6007 000	rifles and carbines
243 957	machine gun barrels
28 001	gun carriages
4 390	trench mortar carriages
38750 000	projectiles
16550 000	hand and rifle grenades
60400 000	fuzes
491000 000	small arms amunition
335 000	shells
23 515	cartridges and bullets
37 600	powder
79 500	empty shells
212 000	telephones
1 072	flamethrowers
31	armored trains
59	tanks
1 762	observation cars
8 982	wireless stations
1 240	Field bakeries
2 199	pontoons
981	pieces of equipment for soldiers and

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Contd.

8230	350 sets of equipment for soldiers
7	300 pistols and revolvers
	180 machine gun sleighs
	21 mobile workshops
	12 AA gun carriers
	11 caissons
64	000 steel helmetsm
174	000 gas masks
2	500 machines of former war industry.
8	000 rifle barrels

B. Air

15	714 fighter planes and bombers
27	757 Airplane engines

C. Navy

26	battleships
4	coast guard vessels
4	destroyers
19	small destroyers
21	schooland special ships
83	torpedo boats
315	U-Boats

Remarks to A and B.

Further under the destruction duties; vehicles of all kinds, means of gas attack and partly gas defense, gas and explosives, searchlights, sighting mechanisms, range-finding and sound-ranging devices, optical apparatus of all kinds, harnesses for horses, narrow gange equipment, field printing shops, field kitchens, workshops, slash and stabbing weapons, steel helmets, ammunition transport material, normal and special machines of the War industry as, buildings, blueprints thereof, airplane and zeppelin hangars, etc.

Following this unprecedented historical fulfillment of a treaty, the German people had the right to expect the redemption of the introduced duties also from the other side.

Because:

1. Germany has disarmed.

2. In the peace treaty it was plainly required that Germany must be disarmed in order to set precedent for general disarmament; this means, it was said that only in Germany's armament alone lies the basis for the armament of other nations.

3. The German people were filled with such principles in its governments and in its Parties which completely agreed with the pacifistic-democratic ideals of the League of Nations and its founders.

While Germany however had fulfilled its obligations on one side of the treaty, there remained the redeeming of the obligations on the other side. That means: the high treaty-makers of the former victorious states have unilaterally released themselves from the obligations of the Versailles treaty!

Not enough that every disarmament, was in some way or another comparable to the German destruction of arms, discontinued, no: Not even a stanstill in the armament was seen, on the contrary, the armament of a whole number of states became visible. What was discovered during the War in the way of new distructive machinery now was completed in a methodical-scientific way. In the field of creating mighty tanks, fighters and bombers, uninterrupted and terrible improvements took place. New large guns were constructed new high explosive, incendiary and gas bombs were developed.

In the meantime however, the world resounded again with war cries as if there never had been a World War and never a Versailles Treaty.

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Germany was an empty powerless space, among these highly armed War states, which continually made available the most modern motorized equipment; (Kraefte) and had no defense against any menace or threat. The German people recall the disaster and suffering from fifteen years of economical distress, political and moral humiliation. It is therefore easily understood when Germany began to ask loudly for the redeeming of the promise of the disarmament of the other nations.

Because this is clear;

The world would not tolerate a hundred year long peace but it must be an unmeasureable blessing to her. But it would not endure a hundred year long break between conqueror and conquered.

The feeling regarding the moral rectification and necessity of an international disarmament was not only active in Germany but also within many other nations. Out of the pursuance of these strengths resulted attempts to try and direct an ammament reduction by means of conferences and thereby bring about a general international assismilation on a lower level.

And so resulted the first proposition for an international armament abrogation, of which we have the memory of the Mac-Donald Plan as being significant.

Germany was prepared to accept this plan and to take it as foundation of a final agreement.

It failed due to the rejection by other nations and was finally abandoned. Since the German people and Reich under such circumstances found no realization in the equality of rights solemnly guaranteed in the December declaration of 1932, the new German government saw in themselves, the guardians of the honor and the living rights of the German people; they were not in the position to continue to take part in such conferences or to belong to the League of Nations.

Even after the leaving of Geneva, the German Government was still prepared not only to consider proposals by other nations but also to make several practical proposals themselves. They undertook thereby the conception, which was coined by other nations themselves, that the creation of short service Armies are inappropriate for purposes of aggression and therefore are to be recommended for a peaceful defense.

They were therefore prepared to convert the long-service Reichswehr into a short service Army according to the wishes of other nations. Their proposals of the winter 1933/34 were practical and easy to accomplish. Their rejection as welllas the final rejection of the similar proposed Italian and English plan however led us to believe that the inclination toward a further sensible fulfillment of the Versailles disarmament provission no longer exists.

Under these circumstances, the German government was forced to t take every necessary measure which would guarantee the termination of conditions, which are just as unworthy as menacing; of the helpless defenselessness of a great people and Reich.

They started out from the same motivations as the very true expression given by Minister Baldwin in his last speech:

" A country, which is not willing to seize the necessary precautionary measures for its own protection will never have might in this world, neither moral nor material might."

The Government of the present day German Reich however, only wishes one single moral and material might; it is the power to be able to protect the peace for the Reich and with that, peace for all of Europe!

Therefore she did everything that was in her power and what could serve toward the furtherance of the peace;

1. For a long period of time she was proposed to all her neighbor nations, the signing of non-agression pacts.

2. She has sought and found an agreeable arrangement with the eastern neighbor nation, which, thanks to the great arbitrary understanding, has for ever decontaminated the menacing atmosphere which existed when they took over the power, and it will lead to a lasting understanding and friendship between the two peoples.

3. She has finally given France the solemn security that Germany, after the effectuated arrangement of the Saar question will not place or raise anymore territorial claims against France. She believes thereby to have created, in a historically rare form the prerequisite for the termination of a hundred year long conflict between two large nations through a great political and essential sacrifice.

However, the German government must witness to its regret, that for months a continually rising rearmament is taking place in the world. She sees in the creation of a Soviet-Russian Army of 101 Divisions, which means 960,000 men in present peacetime strength, an element which couldinot be forseen at the time of the composition of the Versailles Treaty.

She sees further signs of rejecting the disarmament idea, proclamated in its time, in the overdoing of similar measures. It is far from the German Government to reproach any nation. However, she sees today that through the present resolved introduction of the two-year military service in France, the basic ideas of the creation of a short service defense Army has been abandoned in favor of a long-service organization.

This, however, was one of the arguments used in the demands on Germany, to surrender its Reichswehr.

.....Under these circumstances, the German government feels that it is impossible longer to postpone taking the necessary measures for the security of the Reich, or even to hide them from the knowledge of the world.

Therefore, if it now complies with the desire, expressed in the speech of the English Minister Baldwin on November 28, 1934 for a clarification of the German intentions, then this is done:

1. IN ORDER TO GIVE THE GERMAN PEOPLE THE CONVICTION AND THE OTHER STATES THE KNOWLEDGE THAT THE MAINTAINING OF THE HONOR AND SECURITY OF THE GERMAN REICH WILL, FROM NOW ON, AGAIN BE ENTRUSTED TO THE GERMAN NATION'S OWN POWER.

2. but in order, by fixing the extent of the German measures, to invalidate those assertions which wish to imply that the German people are striving for a position of military hegemony in Europe.

What the German government desires, as the guardian of the honor and interests of the German nation, is to guarantee the extent of those means of power which are required not only for maintaining the integrity of the German Reich, but also for the international respect and esteem of Germany as a co-guaranter of the general peace.

For in this hour the German government renews, before the German people and before the whole world, the assurance of its determination never to trespass the limit of guarding German honor and the freedom of the Reich, and especially of its determination to (wish to) form, in the national German armament, not an instrument of military attack, but rather exclusively one for defense, and thus for maintaining the peace.

In so doing, the German Reich Cabinet expresses the confident hope that the German people, which thus regains its honor, may be permitted, with independent equal right, to make its contribution to the pacification of the world in a free and open cooperation with the other nations and their governments.

In this spirit the German Reich Cabinet has today passed the following law:

Law for the Organization of the Armed Forces of March 16, 1935.

The Reich Cabinet has passed the following law which is herewith promulgated:

Section 1

Service in the Armed Forces is based upon compulsory military duty.

Section 2

In peace time, the German Army, including the police troops, transferred to it is organized into:

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Contd.

12 Corps and
16 Divisions.

Section 3
The Reich Minister of War is charged with the duty of submitting immediately to the Reich Ministry, detailed laws on compulsory military duty.

Berlin, March 16, 1935

The Fuehrer and Reich Chancellor
ADOLF HITLER

The Reich Minister of Foreign Affairs
FREIHERR VON NEURATH

The Reich Minister of the Interior
FRICK

The Reich Minister of Finance
GRAF SCHWERIN VON KROSICK

The Reich Minister of Economics
Acting: HSALMAR SCHACHT
President of the Board of Directors of the Reichsbank.

The Reich Minister of Labor
FRANZ SELLTE

The Reich Minister of Justice
DR. GUERTNER

The Reich Minister of Defense
VON BLOMBERG

The Reich Minister of Post and traffic
FREIHERR VON ELTZ

The Reich Minister of Nutrition and Agriculture
R. WALTHER DARRE

The Reich Minister for Public Enlightenment and Propaganda.
DR. GOEBBELS

The Reich Minister for Air
HERMANN GOERING

The Reich Minister of Science Education and Popular Culture
RUST

The Reich Minister without Portfolio
R. HESS

The Reich Minister without Portfolio
KERRL

The Reich Minister without Portfolio
Dr. HANS FRANK

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CERTIFICATE OF TRANSLATION
OF DOCUMENT 1654-PS

2 Oct. 1945.

I, FRED NIEBERGALL, 2nd Lt. Inf. O-133 55 67, hereby certify that I am thoroughly conversant with the Enlish and German languages and that the attached above is a true and correct translation of Document 1654-PS.

FRED NIEBERGALL
2nd Lt. Inf.
O-133 55 67

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Doc. [illegible]-US

United Mexican States)
Mexico Federal District) SS
Embassy of the United)
States of America)

GEORGE S. MESSERSMITH, being first duly sworn, deposes and says:

During the period 1930 to the late spring of 1934, I was Consul General of the United States of America in Berlin. During that period and particularly during the years 1933 and until my departure for Austria in the late spring of 1934, the nature of my work brought me into frequent contact with German Government officials. As background for this statement it is pertinent to state that this contact with German Government officals in the highest categories was necessary by me as Consul General, and some of my principal associates, because of the circumstances of the period.

In the period immediately preceding the coming into power of the National Socialists it was necessary for me and some of my principal associates in the Consulate General to have contact with high officials of the German Government because of the unsettled state of affairs in Germany due to the uncertain political situation; this involved difficulties for American firms of various kinds which made the intervention of the Consulate General in the line of its regular duty necessary. In addition to this contact with the officials of the Government, as a matter of further duty, I had contact with individuals in all parties in Germany in order to keep myself and therefore our Government currently informed with regard to developments in the political picture in Germany. During that period, and before the National Socialists came into power, I therefore had contact of an informal character with persons in the National Socialist Party for the purpose of securing information as to their aims and objectives, but this contact was, before the access to power of that party, with secondary rather than with the first ranking members thereof.

Immediately after the access to power of the National Socialist Government in the beginning of 1933, all sorts of steps of an arbitrary character were taken by the new Government and by its various agencies and dependencies which affected the rights of American citizens and property and in the carrying through of my official duty as Consul General I had the primary responsibility for the protection of American citizens and property. In consequence of this responsibility I had to see frequently almost all of the high ranking members of the German Government with the exception of Hitler and a very large number of officials below the rank of Minister. The nature of my duties was such that a considerable portion of my days had to be spent in visits on such officials to discuss the protection of American interests and property. Some of these secondary officials I had known before the Party came to power, for information purposes.

It is difficult to explain adequately in a statement of this kind the circumstances under which these officials of the Nazi German Government frequently took occasion to talk to me most frankly about matters of general Nazi policy and to discuss frankly and freely the aims and purposes of the Nazi regime. Frequently our conversations were long and difficult because of the matters which I had to present and on which I had to take the firmest stand. Not infrequently at the end of such official conversations they spoke freely and without any reserve with regard to the aims of the regime.

It is the more important to bring this out in this preliminary section of my statement because I did not at any time conceal from any of these Nazi officials my complete lack of sympathy with the course which they were pursuing not did I hesitate to say to them what I considered was the danger of the course which they were pursuing not only for Germany but for Europe and the rest of the world. Their freedom of expression to me was all the more interesting in view of the fact that I never hesitated to assert in the strongest possible way the rights of the United States and of its citizens when they were violated. It requires a knowledge of the circumstances of the time, of the character and psychology of these high Nazi and secondary Nazi officials to be able to appreciate that the fact that I was forthright in my views and did not hesitate to express them and particularly that we stood out so strongly for the rights of our country and our citizens that led them to respect me and my associates and to reveal to me more than they very probably revealed to other

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[redacted] representatives. Whatever the reasons may have been, however, the Nazi government officials, almost without exception from the highest to the lowest with whom I had contact, were on most occasions amazingly frank in their conversation and without any concealment of their aims.

(Omitted is a part of this affidavit in which Mr. Messersmith lists the names, and states his impressions of, the following:

1. Hermann Goering
2. General Milch
3. Hjalmar Schacht
4. Hans Frank
5. Wilhelm Frick
6. Count Schwerin von Krosigk
7. Joseph Goebbels
8. Richard Walther Darré
9. Robert Ley
10. Hans Heinrich Lammers
11. Otto Meissner
12. Franz von Papen
13. Walther Funk
14. General Wilhelm Keitel
15. Admiral Eric von Raeder
16. Admiral Karl Doenitz
17. Dr. Bohle
18. Dr. Stuckart
19. Dr. Krupp von Bohlen
20. Dr. Davidson)

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In the late spring or early summer of 1934, I cannot recall the exact date, I left my post as Consul General at Berlin to go to Vienna where I remained until the late spring of 1937. During my stay in Austria, I had intimate official and personal contact with the highest officials of the Austrian Government as well as with many of the secondary and lower ranking officials. I had this intimate contact with these officials of the Austrian Government from the very outset due undoubtedly to the fact that when I came to Austria it was already well known that I was an outspoken opponent of all that the Nazi Government and leaders stood for. In consequence, even though I was the Minister of a country which was considered in Austria as having no immediate concern in Austria's foreign relations, I received much information from the many Austrian officials on developments in Austro-German relations and in their relations with other countries in Europe. Among those whom I saw frequently and from whom I obtained information were the following:

President Miklas
Chancellor Dollfuss
Chancellor Schuschnigg
Foreign Minister Berger-Waldenegg
Police President and Minister of Security, Hofrat Skubl.

In addition, I should add that there were both in Berlin and in Vienna a corps of correspondents, many of whom were of outstanding ability and with whom I was in frequent contact.

Finally, I should say that during my stay in Austria I made fairly frequent trips to Berlin and on many of these saw and talked with the same persons whom I had known during my residence there as Consul-General. Thus I maintained my German sources of information as well as acquiring new Austrian ones.

I feel fully qualified, therefore, to speak with authority on the matters which follow in this statement. The specific conversations and events which I recite are, of course, specific facts which I set forth here as facts. As to many of them, I have refreshed my recollection as to details from contemporaneous reports and letters which I wrote during this period. The opinions which I offer are, I believe, fully warranted by the sum total of information which I received from all sources.

From the very beginnings of the Nazi Government, I was told by both high and secondary Government officials in Germany that incorporation of Austria into Germany was a political and economic necessity and that this incorporation was going to be accomplished "by whatever means were necessary". Although I cannot assign definite times and places, I am sure that at various times and places every one of the German officials whom I have listed earlier in this statement told me this, with the exception of Schacht, von Krosigk and Krupp von Bohlen. I can assert that it was fully understood by everyone in Germany who had any knowledge whatever of what was going on that Hitler and the Nazi Government were irrevocably committed to this end and the only doubt which ever existed in conversations or statements to me was "how" and "when".

At the beginnings of the Nazi regime in 1933, Germany was, of course, far too weak to permit any open threats of force against any country, such as the threats which the Nazis made in 1938. Instead it was the avowed and declared policy of the Nazi Government to accomplish the same results which they later accomplished through force through the methods which had proved so successful for them in Germany - obtain a foothold in the Cabinet, particularly in the Ministry of the Interior which controlled the police, and then quickly eliminate the opposition elements. During my stay in Austria I was told on any number of occasions by Chancellor Dollfuss, Chancellor Schuschnigg, President Miklas and other high officials of the Austrian Government that the German Government kept up constant and unceasing pressure upon the Austrian Government to agree to the inclusion of a number of Ministers with Nazi orientation. The English and French Ministers in Vienna with whom I was in constant and close contact confirmed this information through statements which they made to me of conversations which they had with high Austrian officials.

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In order to compel the Austrian Government to accept their terms the Nazis resorted to almost every conceivable measure, including economic pressure, propaganda, and most important of all, terroristic acts. My information concerning these terroristic outrages came partly from official communiques of the Austrian Government, partly from responsible news sources, and to a very considerable extent from Skubl, the Police President and later Minister of Public Security, whom I saw frequently and knew well. The Austrian secret police under the direction of Skubl, it should be noted, was one of the most efficient in all of Europe.

The outrages were an almost constant occurrence, but there were three distinct periods during which they rose to a peak. During the first two of these periods -- in mid-1933, and in early 1934--I was still in Berlin. However, during that period I was told by high Nazi officials in conversation with them that these waves of terror were being instigated and directed by them. I found no concealment in my conversations with high Nazi officials of the fact that they were responsible for these activities in Austria. These admissions were entirely consistent with the Nazi thesis that terror is necessary and must be used to impose the will of the Party not only in Germany but in other countries. I recall specifically that General Milch was one of those who spoke frankly that these outrages in Austria were being directed by the Nazi Party and expressed his concern with respect thereto and his disagreement with this definite policy of the Party.

During the wave of terroristic acts in May and June 1934, I had already assumed my duties as American Minister in Vienna. The bomb outrages during this period were directly primarily at railways, tourist centers, and the Catholic Church, which latter, in the eyes of the Nazis, was one of the strongest organizations opposing them. I recall, however, that these outrages diminished markedly for a few days during the meeting of Hitler and Mussolini in Venice in mid-June 1934. At that time Mussolini was strongly supporting the Austrian Government and was strongly and deeply interested in maintaining Austrian independence and sovereignty and in keeping down Nazi influence and activity in Austria. At that time also Hitler could not afford an open break with Mussolini and undoubtedly agreed to the short cessation of these bomb outrages on the insistence of Mussolini because he, Hitler, wished to achieve as favorable an atmosphere for the meeting between him and Mussolini as possible. The cessation of the bomb outrages during the Hitler-Mussolini conversations was considered by me and by the Austrian authorities and by all observers at that time as an open admission on the part of Hitler and the German Government that the outrages were systematically and completely instigated and controlled from Germany.

While I cannot recall at this time the details of the terroristic acts, they were fully reported in the Legation despatches of the period. These reports were based upon intimate and frequent contact with high Austrian officials and many of the details I received from the then head of the Austrian Police, Dr. Skubl. While there was no doubt whatever that these outrages had been conducted and directed by Germany, there was ample evidence as to the origin of the outrages from the fact that fragments of the bombs collected by the Austrian police showed that they were of German manufacture and had been introduced from Germany into Austria. While I do not recall having seen any of these bomb fragments myself, I recall specifically having been told by high Austrian authorities that they had seen them and that there was no doubt as to the origin of the bombs. A further proof that these outrages were directed from Germany, although in most cases the bombs were actually planted by Austrian Nazis, is found in the fact that the records of the Vienna Police and Courts at the time will show that when some of these Nazis were arrested they declared proudly that they had committed these acts.

At various times I or A. W. Kliefoth, Counselor of the Legation, reported on these outrages because of their significance. Quotations from some of these despatches are as follows:

"Trunks containing inflammable material were placed in the three leading railway stations of Vienna and timed to explode simultaneously on the evening of May 6. The damage was very slight. The police charged the Nazis with the Crime.

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An official communique, dated May 10, announced that on the previous evening a bomb was exploded near the Philadelphia Bridge in Vienna, wounding two persons. The same evening a bomb was exploded in one of the local beer gardens, at which a picnic of the Heimwehr was being held, slightly wounding a woman".

Official despatch from Vienna dated May 15, 1934.

"During the past week the continuation of the Nazi terrorist activities in bombing public places and railway lines, with the object of damaging the Austrian tourist trade, some of which are described below, was the source of serious concern to the authorities. This terrorism was carried out according to a well organized plan, undoubtedly conducted by Nazi agents in Germany. The explosives used by the Nazis during the past week, according to the Foreign Office, were all manufactured in Germany and smuggled into Austria."

"In a communique dated May 24, the authorities also admitted a number of other bomb outrages at Braunau, Bad Ischl and Dorf an der Pram. While the damage to both life and property was small - no lives were lost - the Government admitted its inability to cope with the situation with the existing measures of security . . . .

"The authorities further confirmed officially, on May 25, a bomb explosion on May 23 in the residence of the Archbishop of Salzburg, which caused considerable damage. At Morzg, near Salzburg, on May 23, a bomb explosion wrecked a flower-kiosk, causing damages amounting to 10,000 schillings. A nine year old child was severely injured in Anloiten, near Ried."

Official Despatch from Vienna dated May 29, 1934.

"The Nazi terrorist outrages continued during the past week in spite of the Government's notification regarding the application throughout Austria of martial law for crimes of public violence. These crimes, now punishable by death, include malicious acts against public order, and damage to the railway, telegraph, telephone and wireless services of the State.

"The new development in the recent outrages was that many of the acts were directed against the property of the Roman Catholic Church, which in the eyes of the Nazis was the strongest organization opposing the Nazi regime.

"In addition to the attempted bombing of the Archbishop's palace in Salzburg, a few days previously, a bomb was exploded on May 20 in an annex to the Archbishop's palace in Feldkirch, which caused minor damages. The police charged Nazis with the outrages and arrested a number of suspects. During the night of May 27, a bomb explosion broke windows in the churches and vicarage of St. Paul in Carinthia.

"In Linz, on May 28, a bomb exploded before the entrance of one of the schools, breaking 44 windows. The school was empty at the time the outrage was committed. During the same night, an attempt was made to blow up the electric works at Braunau, causing a temporary suspension of the electric service.

"Other outrages, not reported by the press, included an attempt to blow up one of the bridges over the Danube in Vienna on May 30, a bomb explosion in one of the popular cafes, and numerous bombings of telephone and newspaper kiosks."

Official Despatch from Vienna dated June 4, 1934.

"The National Socialist terrorism in Austria, which started slowly and cautiously several weeks ago, culminated in a heavy and rather serious outbreak on June 8 to June 11, threatening not only the peace

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and security of the country, but the foreign tourist trade, an exceedingly important item in Austria's economic life. The attempts to wreck the railway lines near Vienna and in other parts of Austria, as well as terrorist outrages in the principal tourist centers, occupied the attention of the Government above all other matters. After a number of important cabinet sessions, new measures were adopted to counteract the terrorism, and the matter was also the subject of diplomatic conversations between Austria and Germany."

Official Despatch from Vienna dated June 13, 1934.

"The outrages in Austria during the week ending June 23, while almost as numerous as in the week preceding, were less violent in character. The attacks were directed, as heretofore, against the quarters of anti-Nazi associations and persons, public utilities, but less against the railway communications. Additional stores of expolsive materials were uncovered in Vienna and elsewhere."

. . . . . .

"A recent terrorist explosion in the Vienna School of Agronomy caused damages amounting to about 40,000 schillings. As a result of the Nazi outrages, the school has been closed for one week.

"In an attempted bomb attack on the post office in Bregenz, the capital of the Province of Vorarlberg, the police seized a supply of explosives bearing labels of "Sprengstoffwerke Kloster Lechfeld, G.m.b.H.", "Dynamit A.G. Hamburg, Alfred Nobel & Co.", and "Fabrik Wurzendorf", explosive factories domiciled in Germany.

Official Despatch from Vienna dated June 25, 1934.

"During the week ending June 30 there were less terrorist outrages of major importance, but the number of small outrages, bomb explosions, attacks on electric, water, and railway establishments had not decreased. The principal attacks were directed against Catholic institutions, ex-National Socialists, and the city of Salzburg. The purpose in the latter case was to frighten foreign tourists away from the Summer Music Festivals at Salzburg.

"A bomb which exploded in the Roman Catholic vicarage in Kapfenberg, in the Province of Styria, on June 24, resulted in the death of the Chaplain, Reverend Franz Eibel. Several other persons were slightly injured. The death was one of terrorism, although there were several cases of attacks. Likewise there were attacks on other Church institutions in different parts of the country.

"A series of outrages were reported on June 28 from Salzburg and adjoining tourist centers. Bombs were exploded in the market place and elsewhere, and attempts were made to blow up the electric and railway communications. The outrages were particularly directed at Salzburg at this time in view of the forthcoming Summer Festivals, which ordinarily attract thousands of non-German tourists. Similar attacks were made the same day in the Provinces of Vorarlberg and Tyrol."

Official Despatch from Vienna dated July 3, 1934.

"A series of lesser outrages were reported from all parts of Austria on Sunday, July 15. A large amount of explosives were stolen from a shop in Gloggnitz; the director of the institution was fined 600 schillings and sentenced to two weeks imprisonment for negligence in guarding the supplies. In Unterkirchen, on July 17, a bomb explosion damaged the local vicarage and the electric works. On July 18 a bomb explosion in Innsbruck injured one person, whereas in St. Kathrein a house was damaged. In Vienna on July 18 a public telephone was damaged, and set on fire. The perpetrator, a National Socialist, was immediately apprehended by the Police. At Edlach, a summer resort about 100 kilometers from Vienna, an attempt was made to bomb the railway. A similar attempt was made in a Tyrolian mountain railway station."

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Official Despatch from Vienna dated July 26, 1934.

In addition to these outrages, the Nazis attempted to bring pressure upon Austria by means of the "Austrian Legion". This organization, a para-military force of several thousand men, was stationed near the Austrian border in Germany as a constant and direct threat of violent action against Austria. It was without any question sanctioned by the Nazi Government of Germany as it could otherwise not have existed, and it was armed by them. It was made up of Austrian Nazis who had fled from Austria after committing various crimes in Austria and by Austrians in Germany who were attracted by the idle life and pay given by the German authorities.

After the July Putsch, in August 1934, in Vienna I was told by the British Military Attache in Vienna of a conversation which he had had with the German Military Attache in Vienna, General Muff. It may be observed here that to my knowledge General Muff was a rather influential person in Germany and one who played a preponderant role in the German Legation in Vienna. General Muff told the British Military Attache that he had just been in Germany and had spent three days with Hitler at Berchtesgaden, during which time he had had several conversations with Hitler. He said then - in August 1934 - that the Austrian Legion had not yet been dissolved and that Hitler had talked at length with him about the Legion. General Muff did not deem it worth while to conceal to the British Military Attache the fact that the Austrian Legion had been armed and that the Nazis had armed it. I saw General Muff later myself and received the same impression as to these facts although he was not as frank and direct in his statements with me as he had been with the British Military Attache.

The events of the Putsch of July 25, 1934, are too well known for me to repeat them in this statement. I need say here only that there can be no doubt that the Putsch was ordered and organized by the Nazi officials from Germany through their organization in Austria made up of German Nazis and Austrian Nazis. Dr. Rieth, the German Minister in Vienna, was fully familiar with all that was going to happen and that was being planned. The German Legation was located directly across the street from the British Legation and the Austrian secret police kept close watch on the persons who entered the German Legation. The British had their own secret service in Vienna at the time and they also kept a discreet surviellance over people entering the German Legation. I was told by both British and Austrian officials that a number of the men who were later found guilty by the Austrian Courts of having been implicated in the Putsch had frequented the German Legation. In addition, I personally followed very closely the activities of Dr. Rieth and I never doubted on the basis of all my information that Dr. Rieth was in close touch and constant touch with the Nazi agents in Austria; these agents being both German and Austrian. Dr. Rieth could not have been unfamiliar with the Putsch and the details in connection therewith. I recall too very definitely from my conversations with the highest officials of the Austrian Government after the Putsch, their informing me that Dr. Rieth had been in touch with von Rintelen, who it had been planned by the Nazis was to succeed Chancellor Dollfuss had the Putsch been successful.

It may be that Dr. Rieth was himself not personally sympathetic with the plans for the Putsch but there is no question that he was fully familiar with all these plans and must have given his assent thereto and connived therein.

As this Putsch was so important and was a definite attempt to overthrow the Austrian Government and resulted in the murder of the Chancellor of Austria, I took occasion to verify at the time for myself various other items of evidence indicating that the Putsch was not only made with the knowledge of the German Government but engineered by it. I found and verified that almost a month before the Putsch, Goebbels told Signor Cerruti, the Italian Ambassador in Berlin, that there would be a Nazi Government in Vienna in a month. On the evening before the Putsch, a pamphlet appeared in the streets of Berlin from which it appeared that the

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Nazi Government had full knowledge of what was planned the next day in Vienna. An attempt was made by the German authorities in Berlin to suppress this pamphlet and this effort was partly successful but copies of it were available at the time and I recall an officer of our Embassy in Berlin, whose name I cannot specifically recall at this time, informing me that he had seen a copy thereof. Articles also appeared in some of the German papers of July 25, indicating that they had information as to the time that the Putsch was to take place. I will not go into detail as to the character of the evidence but there is no question from the historical record and the facts as known to me from direct knowledge at the time that the Putsch was engineered and directed by the German Government from Berlin and Munich.

For two years following the failure of the July 25 Putsch, the Nazis remained relatively quiet in Austria. Very few terroristic acts occurred during the remainder of 1934 and as I recall in 1935 and most of 1936; this inactivity was in accordance with directives from Berlin as direct evidence to that effect, which came to my knowledge at that time, proved. Early in January, the Austrian Foreign Minister, Berger-Waldenegg, furnished me a document which I considered accurate in all respects and which stated:

"The German Minister here, von Papen, on the occasion of his last visit to Berlin, was received three times by Chancellor Hitler for fairly long conversations, and he also took this opportunity to call on Schacht and von Neurath. In these conversations the following instructions were given to him:

"During the next two years nothing can be undertaken which will give Germany external political difficulties. On this ground, everything must be avoided which could awaken the appearance of Germany interfering in the internal affairs of Austria. Chancellor Hitler will, therefore, also for this reason not endeavor to intervene in the present prevailing difficult crisis in the National Socialist Party in Austria, although he is convinced that order could be brought into the Party at once through a word from him. This word, however, he will, for foreign political reasons, give all the less, as he is convinced that the, for him, desirable ends may be reached also in another way. Naturally, Chancellor Hitler declared to the German Minister here, this does not indicate any disinterestedness in the idea of Austria's independence. Also, before everything, Germany cannot for the present withdraw Party members in Austria, and must, therefore, in spite of the very real exchange difficulties, make every effort to bring help to the persecuted National Socialist sufferers in Austria. As a result, Minister of Commerce Schacht finally gave the authorization that from then on 200,000 marks a month were to be set aside for this end (support of National Socialists in Austria). The control and the supervision of this monthly sum was to be entrusted to Engineer Reinthaler, who, through the fact that he alone had control over the money, would have a definite influence on the Party followers. In this way it would be possible to end most quickly and most easily the prevailing difficulties and division in the Austrian National Socialist Party.

"The hope was also expressed to Herr von Papen that the recently authorized foundation of German 'Ortsgruppen' of the National Socialist Party in Austria (made up of German citizens in Austria) would be so arranged as not to give the appearance that Germany is planning to interfere in Austrian internal affairs.

"He was also informed that an effort would be made through the easing of the Auslandesperre, particularly with reference to the more westerly Austrian Alps sections, so that to the German-Austrian Alpenverein (Alps Association) a particular role was to be given. The easing of the Auslandesperre was naturally only to be accorded to those who obligated themselves to visit the more westerly Austrian Alps sections and to go to fixed towns and live in specified hotels or inns."

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This policy of the Nazis was dictated solely by considerations of expediency. The basic aim of achieving Anschluss remained wholly unchanged. The brutal murder of Dollfuss, the Austrian Chancellor, and the unquestioned direct attack on Austrian sovereignty through the Putsch, directed by the German Government from Germany, had so shocked public opinion in Austria and in Europe that the Nazis could not afford for the time being to take open action.

That the policy of Anschluss remained wholly unchanged was confirmed to me by Franz von Papen when he arrived in Vienna as German Minister. It will be recalled that he accepted this assignment as German Minster even though he knew that he had been marked for execution in the St. Barthlomew's massacre on June 30, 1934. When, in accordance with protocol, he paid me a visit shortly after his arrival in Vienna, I determined that during this call there would be no reference to anything of importance and I limited the conversation strictly to platitudes which I was able to do as he was calling on me in my office. I deemed it expedient to delay my return call for several weeks in order to make it clear to von Papen that I had no sympathy with and on the other hand was familiar with the objectives of his mission in Austria. When I did call on von Papen in the German Legation, he greeted me with " Now you are in my Legation and I can control the conversation". In the baldest and most cynical manner he then proceeded to tell me that all fo South-eastern Europe, to the borders of Turkey, was Germany's natural hinterland, and that he had been charged with the mission of facilitating German economic and political control over all this region for Germany. He blandly and directly said that getting control of Austria was to be the first step. He definitely stated that he was in Austria to undermine and weaken the Austrian Government and from Vienna to work towards the weakening of the Government in the other states to the South and South East. He said that he intended to use his reputation as a good Catholic to gain influence with certain Austrians, such as Cardinal Innitzer, towards that end. He said that he was telling me this because the German Government was bound on this objective of getting this control of Southeastern Europe and there was nothing which could stop it and that our own policy and that of France and England was not realistic.

The circumstances were such, as I was calling on him in the German Legation, that I had to listen to what he had to say and of course I was prepared to hear what he had to say although I already knew what his instructions were. I was nevertheless shocked to have him speak so baldly to me and when he finished I got up and told him how shocked I was to hear the accredited representative of a supposedly friendly state to Austria admit that he was proposing to engage in activities to undermine and destroy that Government to which he was accredited. He merely smiled and said, of course this conversation was between us and that he would, of course, not be talking to others so clearly about his objectives. I have gone into this detail with regard to this conversation as it is characteristic of the absolute frankness and directness with which high Nazi officials spoke of their objectives.

Nazi activities, forced underground in this period, were by no means neglected. The Party was greatly weakened for a time as a result of the energetic measures taken against the Putsch and as a result of the public indignation. Reorganization work was soon begun. In October 1934 the Austrian Foreign Minister, Berger-Waldenegg, furnished me the following memorandum, which he told me had been supplied to the Austrian Government by a person who participated in the meeting under reference.

" A meeting of the Chiefs of the Austrian National Socialist Party was held on the 29th and 30th of September 1934, at Bad Aibling in Bavaria.

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"The meeting occupied itself principally with the reorganization of the Austrian National Socialist Party and particularly with the measures to be taken to this end in the Tirol.

"Measures were decided upon as to the means to be used to create better contact between the party leadership and its members as well as with respect to new propaganda measures.

"One principal point on the agenda had reference to the preparatory measures to be taken for taking over the power in Austria. It was decided to give to all of the Party Headquarters in Austria instructions preparatory to new terroristic acts. The necessary material, however, is nevertheless until new instructions are issued not to be transported from the German border into Austria, but shall be kept assembled at appropriate places on the German side of the entire Austro-German frontier.

"From a report received by the Party chiefs on the situation in Vienna and upper Styria, it is established that agreements have been concluded with the Communists and with the Socialists with respect to a uniform and common procedure.

"The agents of the Party Direction in Germany have received orders in every Austrian district to prepare lists of all those persons who are known to actively support the present Government and who are prepared closely to cooperate with it.

"When the next action against the Government takes place these persons are to be proceeded against just as brutally as against all those other persons, without distinction of party, who are known to be adversaries of National Socialism.

"In a report of the Party leaders for Austria the following principles have been emphasized:

"A. The taking over of the power in Austria remains the principal duty of the Austrian National Socialist Party. Austria has for the German Reich a much greater significance and value than the Saar. The Austrian problem is the problem. All combat methods are consecrated by the end which they are to serve.

"B. We must on every occasion which presents itself appear to be disposed to negotiate, but arm at the same time for the struggle. The new phase of the struggle will be particularly serious and there will be this time two centers of the terror, one along the German frontier and the other along the Yugoslav frontier."

The Austrian Legion was kept in readiness in Germany. Although it was taken back some miles further from the Austrian frontier, it remained undissolved in spite of the engagement which had been taken to dissolve it. The Austrian Government received positive information to this effect from time to time which it passed on to me and I had direct information to the same effect from reliable persons coming from Germany to Vienna who actually saw the Legion.

On the surface, however, German activities consisted principally of efforts to win the support of prominent and influential men through insidious efforts of all kinds, including the use of the German Diplomatic Mission in Vienna and its facilities and personnel.

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Von Papen was German Minister entertained frequently and on a lavish scale. He approached almost every member of the Austrian Cabinet, telling them, as several of them later informed me, that Germany was bound to prevail in the long run and that they should join the winning side if they wished to enjoy positions of power and influence under German control. Of course, openly and outwardly he gave solemn assurance that Germany would respect Austrian independence and that all that she wished to do was to get rid of elements in the Austrian Government like the Chancellor, Schuschnigg and Starhemberg as head of the Heimwehr and others, and replace them by a few "nationally-minded" Austrians, which of course meant Nazis. The whole basic effort of von Papen was to bring about Anschluss.

In early 1935, the Austrian Foreign Minister, Berger-Waldenegg, informed me that in the course of a conversation with von Papen, the latter had remarked "Yes, you have your French and English friends now and you can have your independence a little longer". The Foreign Minister, of course, told me this remark in German but the foregoing is an accurate translation. The Foreign Minister told me that he had replied to von Papen "I am glad to have from your own lips your own opinion which agrees with what your chief has just said in the Saar and which you have taken such pains to deny." Von Papen appeared to be terribly upset when he realized just what he had said and tried to cover his statements, but according to Berger-Waldenegg, kept constantly getting into deeper water.

Von Papen undoubtedly achieved some successes, particularly with men like Glaise-Horstenau and others who had long favored the "Grossdeutschum" idea, but who nevertheless had been greatly disturbed by the fate of the Catholic Church. Without conscience or scruple, von Papen exploited his reputation and that of his wife as ardent and devout Catholics to overcome the fears of these Austrians in this respect.

Developments in the fall of 1935 and the spring of 1936 gave Germany an opportunity to take more positive steps in the direction of the Nazification of Austria. Italy, which had given Austria assurance of support of the most definite character against external German aggression, and on one occasion, by mobolizing her forces, had undoubtedly stopped German aggressive action which had been planned against Austria, embarked on her Abyssinian adventure. This and the reoccupation of the Rhineland in 1936 completely upset the balance in Europe. The French and the British Minister informed me that as early as August 1935, they had informed their Governments, on the basis of conversations with the Austrian Foreign Minister, that if there was to be any Danubian Pact, it would have to come into being rapidly for the Austrian Government would be forced to negotiate with Germany even though it would have no confidence that any such agreement arrived at would be respected.

The result of all these forces was the Austro-German accord of July 11, 1936, the public text is as follows:

> "Convinced that they are thereby rendering a valuable contribution toward the peaceful development of Europe, and believing that they are thereby doing the best service to the various common interests of the two German States, the Government of the German Reich and the Government of the Austrian Federal State have decided to restore normal and friendly mutual relations.
>
> "It is therefore declared:
>
> "(1) In the sense of the statement made by the Führer and Reich Chancellor on May 21, 1935 the German Government

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recognizes the full sovereignty of the Federal State of Austria:[1]

"(2) Each of these two Governments shall regard the internal political conditions of the other country, including the question of Austrian National-Socialism, as a domestic concern of that country, upon which it will exert neither direct nor indirect influence:

"(3) The Austrian Federal State Government's general policy and its policy toward Germany in particular shall be constantly guided by the Principle that Austria recognizes herself to be a German State. The Rome Protocol of 1934, together with its additional clauses of 1936, and the relations of Austria to Italy and Hungary, as partners in the said protocols are not hereby affected.

"Recognizing that the relaxation of tension desired by both parties can be brought about only if in addition certain preliminary conditions are established by the Governments of both countries, the Reich Government and the Austrian Federal Government shall in a series of detailed measures create these required preliminary conditions."

Even more important than the terms of the agreement published in the official communique, was the contemporaneous informal understanding, the most important provisions of which were, that Austria would (1) appoint a number of individuals enjoying the Chancellor's confidence but friendly to Germany to positions in the Cabinet; (2) would devise means to give the "national opposition" a role in the political life of Austria and within the framework of the Patriotic Front, and (3) would amnesty all Nazis save those convicted of the most serious offenses. This amnesty was duty announced by the Austrian Government and thousands of Nazis were released, and the first penetration of the Deutsche Nationaler into the Austrian Government was accomplished by the appointment of Dr. Guido Schmidt as Secretary of State for Foreign Affairs, and of Dr. Edmund Glaise-Horstenau as Minister without portfolio.

The significance of these arrangements can best be explained by quoting from an official despatch which I wrote in October 1934 when concern was being expressed with regard to conversations which Chancellor Schuschnigg was reported as having with the "moderate Nazis", Reinthaller and Riehl. I then reported as follows:

"It is obvious, however, that in view of certain well known facts, these conversations will be followed with interest. A major consideration which will not be disregarded is the fact that Chancellor Hitler himself has

1. On May 1935, in a speech in the Reichstag, Hitler had stated with respect to Austria (I quote from Documents on International Affairs, Vol. I. 1935, published by the Royal Institute of National Affairs, (London, 1936) p. 171):

"Germany neither intends nor wishes to interfere in the internal affairs of Austria, to annex Austria, or to conclude an "Anschluss". The German people and the German Government have, however, the very comprehensible desire, arising out of a simple feeling of solidarity due to a common national descent--namely, that the right to self-determination should be guaranteed, not only for foreign nations but to the German people everywhere. I myself believe that no regime which does not rest on public consent and is not supported by the people can continue permanently."

always been in favor of indirect rather than direct action in bringing Austria into the German picture. It is his belief that the way to be followed is to get representatives of the National Socialist Party into the penetration. It is an indication of political astuteness, for it is quite certain, in the opinion of many objective observers, that if once a militant, even though small, National Socialist minority gets representation in the Cabinet, it will be the forerunner of absorption. To explain why this is so is rather difficult, as it requires a full appreciation of many factors at play in Germany and in Austria. Briefly, however, it may be epitomized in the terroristic policy which is one of the primary principles of National Socialism. Even before July 25, when the National Socialist Party was legally prohibited, it was very difficult to get proper police and judicial action against National Socialists who committed terroristic acts or who were plotting against the Government. This inaction came, not through sympathy with the movement or through lack of definite knowledge of overt acts, but through fear - through fear of reprisals when a National Socialist regime might come, and that if it did come, those who had proceeded, even though in the line of duty, against National Socialists, would be dealt with with the barbarity and intolerance with which National Socialism has treated its opponents in Germany. The determined attitude of the Government after July 25, strengthened the administration of justice and of the security forces, and this changed attitude came about as a result not only of the feeling within the country that National Socialism would not come now, but also as a result of the action of the powers in support of the independence of Austria. Should the conversations which the Government is having with the National Socialist groups reawaken this fear, or should there be any weakening of the attitude of the Government towards National Socialist be admitted even to indirect or subordinate participation in the Government, it would undoubtedly bring back this fear in an even more acute form and bring into what element of weakness.

"The fact that these conversations are taking place need, therefore, not be considered as being intrinsically a disturbing factor in the internal and external situation of Austria, but should these National Socialist elements in the Government, there is reason for the gravest concern, not only so far as the internal situation in Austria is concerned, but this might become the focal point of disturbance without the country..."

The sequel of the agreement was the only one which could have been expected in view of all the facts and previous recorded happenings. Active Nazi operations in Austria were resumed under the leadership of a certain Captain Leopold, who it was known definitely was in frequent touch with Hitler. The Nazi program was now to form an organization through which the Nazi could carry on their operations openly and with legal sanction in Austria. There were formed in Austria several organizations which had a legal basis but which were simply a device by which the Nazis in Austria could organize, and later seek inclusion as a unit in the Patriotic Front. The most important of these was the Ostmarkischer Verein, the sponsor of which was the Minister of the Interior Glaise-Horstenau. Through the influence of Glaise-Horstenau and the pro-Nazi Neustadter-Sturmer, this organization was declared legal by the Courts. I made specific mention of the foregoing because it shows the degree to which the situation in Austria had disintegrated as a result of the underground and open Nazi activities directed from Germany.

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Even more open recognition of the Nazis was demanded. In January 1937, Captain Leopold submitted a memorandum of Nazi demands, which, though not formally received, were known to and considered by the Austrian Cabinet.

The Leopold memorandum is as follows:

For the Internal Pacification of Austria.

(In Mr. Messersmith's affidavit there appears at this point the body of Captain Leopold's longthy memorandum. It includes Captain Leopold's statement of the existing situation in Austria. It includes the following demands: (1) An amnesty for all punishments or privations suffered for National Socialist or National activity or sympathy; (2) equal treatment for National Socialists, including freedom of political activity and cultural activity; abolition of laws and sanctions used by the Government against Nazi activity. The memorandum advocates cooperation on the basis of political principles including: A broadening of the Patriotic Front; changes in the Cabinet; an alliance with the Reich; common racial stock as a political aim, and the application of anti-Semitic measures; an early plebiscite on Anschluss.)

Later, a petition circulated by Leopold was submitted to the Austrian Government, demanding authorization to form a "nationalistic party", which was to be incorporated as a group in the Political Front. It was a Party which its sponsorship plainly marked as openly Nazi. Pressure for the acceptance of these demands was exercised by staging frequent demonstrations and circulating propaganda, all of which was financed in and from Germany. Even as soon after July 11 as July 29, 1936, when the Olympic Torch was carried through the streets of Vienna, there were violent Nazi disorders. From then on, and until Austrian sovereignty was destroyed, there were constant arrests and trials of persons accused of distributing illegal literature or staging illegal demonstrations, accompanied by numerous press comments of more or less violence.

The Austrian Government sought to counteract this pressure in some way by allowing activity in favor of a restoration of the Hapsburgs. On his visit to Vienna in late February 1937, von Neurath took occasion to register Germany's emphatic opposition to any such move. I remember von Neurath's visit very clearly. I had known him well and was on friendly terms with him while I was stationed in Berlin. At that time and after the Nazi came into power, he had told both Ambassador Dodd and me that he had remained as Foreign Minister when the Nazi came into power in order that he might exercise "a restraining influence" and render service to his country. This may have been the initial motive of von Neurath but he rapidly became one of the most complete and in some ways effective instruments of the Nazis. If he was not in accord with what they did, he was a perfect instrument in helping to carry it through.

Although I had known him well in Berlin and had on occasions been in his house in small gatherings, when he came to Vienna in 1937, there were a number of cereronies and receptions given by the Austrian Government to which the Diplomatic Corps was invited. When he met me at these meetings he treated me with great coolness and even disdain, knowing my complete lack of sympathy with the program to which he had committed himself, and this manner of treating me with disdain and open disregard was probably his way of protecting himself and his own feelings of shame. Shortly after the visit of von Neurath, Chancellor Schuschnigg in my conversations with him told me that in his conversations with von Neurath, during the visit, Von Neurath had been just as bad as if Habicht or Frauenfeld had been talking when they had discussed the German demands for the inclusion of Nazis in the Austrian Cabinet.

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About the same time, Schuschnigg made some concessions to ease the pressure from the Nazis. In February, he appointed a so-called "Committee of Seven", consisting among others of Dr. Jury and a man named Tavs, to discuss "nationalistic ambitions" with him. In June, following the visit of Glaise-Horstenau and General Kraus and Leopold to Hitler in Berlin, and the increased Nazi activities following, Schuschnigg appointed Seyss-Inquart and Dr. Pembauer to devise a means whereby the "Nationalists" could be incorporated into the Patriotic Front.

Dr. Seyss-Inquart himself was a prominent Vienna Lawyer, who had long been an intimate personal friend of Chancellor Schuschnigg. The Chancellor himself told me on various occasions that Dr. Seyss-Inquart had frequently attempted to convince him that the admission of the Nazi into the Austrian Cabinet would be for the best interest of Austria, in that it would relieve the pressure on Austria by Germany, and that he (Seyss-Inquart) at all times professed a sincere desire to maintain the independence of Austria. I had little personal contact with Seyss-Inquart but I knew from various sources absolutely reliable that while Seyss-Inquart was making these protestations to the Chancellor with whom he had had this intimate friendship, and which the Chancellor repaid by his confidence, Seyss-Inquart was in fact completely insincere. He was known at the time, and I had knowledge of this, to be in frequent contact with many high officials of the German Government and that he had had contact with Hitler himself. My information on this point was obtained not only from sources in Austria but also from acquaintances in Germany. There is only one thing which can be said in favor of Seyss-Inquart at the time and that is that he perhaps did believe the German protestations made to him that Austria's independence would be respected. It is difficult, however, to conceive that a man who was known to have the legal ability and intelligence of Seyss-Inquart could have been completely taken in by these protestations. The probabilities are that at least from the outset he used his friendship with Chancellor Schuschnigg in order to help to destroy the independence of his country in order to make a place for himself.

I left Vienna on, July 11, 1937, in order to assume the post of Assistant Secretary of State in Washington. I, therefore, left Vienna before the final tragedy occurred. The final outcome, however, was then already foreseeable. From the tenor of the Italian Minister's conversations with me it was clear that Italy would not or could not any longer defend Austria militarily against German aggression. It was also clear that Austria could not resist the German pressures alone. Although France had given very definite assurances as to her interest in maintaining Austria's independence and England had expressed her interest therein, the Austrian Government was less and less able to be assured of real support. When the Austrian government could no longer expect the full military support of Italy, it knew that its fate was sealed. Hitler was, therefore, free to work his will in Austria. The only question remaining was when he would do it and when he considered it opportune. The work of disintegration, set forth in this statement, had had its effect. Early in 1938, apparently satisfied that England and France would not move and knowing that Italy could not and would not oppose him, Hitler struck the final blow at Austria's independence, bringing to a climax what must be recorded in history as one of the most insidious, dastardly, unjustified and altogether effective series of measures to undermine and bring about the end of a sovereign state, during the course of which machinations and operations the Nazi Government nevertheless consistently openly proclaimed its friendliness towards Austria and its intention of maintaining its respect for its sovereignty and independence.

(Signed) G. Messersmith

Subscribed and sworn to before me,
William L. Brewster, a Vice Consul of the
United States of America, duly commissioned
and qualified, in Mexico, D.F., Mexico, this
28th day of August, 1945.

William L. Brewster
Vice Consul of the United States
of America

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Doc. 2832-PS

AMBASSADOR DODD'S DIARY - 1933-1938
Edited by William E. Dodd, Jr., and Martha Dodd
(Dondon; Victor Gollancz Ltd; 1941)

(Entry for July 26, 1934)

July 26. Thursday. A very busy day. I sent two telegrams to Washington explaining the putsch against the Austrian Government by the Nazi conspirators.

The attack upon Austria, from all evidence, was supported if not planned by the German Propaganda Ministry. Last February Ernst Hanfstaengl told me that he brought what was practically an order from Mussolini that Germans must leave Austria alone, and that Theodor Habicht, the German agent in Munich for Austrian annexation, must be dismissed and silenced. In May and June, Mussolini pretended to be in accord with the German anti-French, anti-Russian policy, and June 18, at Venice, Hitler was reported to have promised Mussolini to leave Austria alone. At any rate, great ado was made in the German press about the friendly accord of the two "greatest statesmen" of Europe. On June 30 came the Hitler murder of "traitors" and their assistants.

Mussolini, who had murdered even more Italians than Hitler has thus far murdered Germans, allowed his press to denounce Hitler unmercifully. On Monday, July 23, after repeated bombings in Austria by Nazis, a boat loaded with explosives was seized on Lake Constance by the Swiss police. It was a shipment of German bombs and shells to Austria from some arms plant. That looked ominous to me, but events of the kind had been so common that I did not report it to Washington.

Today evidence came to my desk that last night, as late as eleven o'clock, the government issued formal statements to the newspapers rejoicing at the fall of Dollfuss and proclaiming the Greater Germany that must follow. The German Minister in Vienna had actually helped to form the new Cabinet. He had, as we now know, exacted a promise that the gang of Austrian Nazi murderers should be allowed to go into Germany undisturbed. But it was realized about 12 o'clock that, although Dollfuss was dead, the loyal Austrians had surrounded the government palace and prevented the organization of a new Nazi regime. They held the murderers prisoners. The German Propaganda Ministry therefore forbade publication of the news sent out an hour before and tried to collect all the releases that had been distributed. A copy was brought to me today by a friend.

All the German papers this morning lamented the cruel murder and declared that it was simply an attack of discontented Austrians, not Nazis. News from Bavaria shows that thousands of Austrian Nazis living for a year in Bavaria on German support had been active for ten days before, some getting across the border contrary to law, all drilling and making ready to return to Austria. The German propagandist Habicht was still making radio speeches about the necessity of annexing the ancient realm of the Hapsburgs to Third Reich, in spite of all the promises of Hitler to silence him. But now that the drive has failed and the assassins are in prison in Vienna, the German Government denounces all who say there was any support from Berlin.

I think it will be clear one day that millions of dollars and many arms have been pouring into Austria since the spring of 1933. Once more the whole world is condemning the Hitler regime. No people in all modern history has been quite so unpopular as Nazi Germany. This stroke completes the picture. I expect to read a series of bitter denunciations in the American papaers when they arrive about ten days from now.

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3287-PS

I, SIR DAVID JOHN MONTAGU-DOUGLAS-SCOTT, K.C.M.G., a Deputy Under-Secretary of State for Foreign Affairs, HEREBY CERTIFY that the document hereto attached and marked "I.", is a TRUE COPY of a despatch, dated 13th March, 1938, addressed by the British Ambassador at Berlin to His Majesty's Secretary of State for Foreign Affairs in London;

AND I FURTHER CERTIFY that the document hereto attached and marked "L." is a TRUE COPY of the enclosure referred to in the aforesaid document marked "I.".

/s/ David Scott

(SEAL)

LONDON

Foreign Office, London, S.W. 1.

29th. November, 1945.

3287-PS

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3287-PS
"I"

No. 242 (52/248A/38)

HIS Majesty's Ambassador at Berlin presents his compliments to H.M.Secretary of State for Foreign Affairs and has the honour to transmit to him the under-mentioned documents.

British Embassy,

Berlin.

13th March, 1938.

Reference to previous correspondence:

Berlin telegram No. 104 of 12th March

Description of Enclosure.

Name and Date	Subject.
From: Baron von Neurath to Sir N. Henderson dated 12th March	German action in Austria.

3287-PS
"I"

"L" #229

TRANSLATION OF
DOC. 3287-PS, "L"

Copy

The President
of the Secret Cabinet Council

Berlin, 12th March 1938

Your Excellency,

In a letter of the 11th of March Your Excellency has informed us that the Royal British Government had received the news that a German ultimatum was presented in Vienna, demanding the resignation of the Chancellor, his replacement by the Minister of the Interior, the formation of a new Cabinet with a two-thirds majority of national socialist members and the readmittance of the Austrian Legion. In case these reports should prove right, the Royal British Government have protested against such coercion based on force and exerted on an independent country in order to create a situation incompatible with its national independence.

In the name of the German Government I must point out here that the Royal British Government has no right to assume the role of a protector of Austria's independence. In the course of diplomatic consultations on the Austrian question, the German Government never left any doubt with the Royal British Government that the formation of relations between Germany and Austria could not be considered anything but the inner concern of the German people and that it did not affect third Powers. It is superfluous to reiterate the historical and political reasons for this standpoint.

For this reason the German Government must, as a matter of course, reject as unacceptable the conditional protest lodged by the Royal British Government.

In reference to the news mentioned in your letter, that the German Government had made ultimative demands in Vienna, the German Government nevertheless does not want to neglect, for the sake of truth, to ascertain the following regarding the events of the last days:

Recognizing the dangers that resulted from the situation in Austria that had become intolerable, the German Reich Chancellor, a few weeks ago, had brought about a conference with the then Austrian Chancellor. It had as its aim to try once more to meet these dangers by agreeing on measures that could guarantee a tranquil and peaceful development serving the interests of both countries as well as the interests of the entire German people. The agreement of Berchtesgaden, had it been carried out loyally on the part of Austria in the sense of the announcement of 12 February, would have guaranteed just such a development.

Instead, the former Austrian Chancellor announced on the evening of the 9th of March the surprising and arbitrary resolution, decided on by himself, to hold an election within a few days, which, under the prevailing circumstances and especially according to the details provided for the execution of the election, could and was to have the sole purpose of oppressing politically the predominant majority of the population of Austria. As could have been foreseen, this procedure, being a flagrant violation of the agreement of Berchtesgaden, led to a very critical point in Austria's internal

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situation. It was only natural that the members of the then Austrian Cabinet who had not taken part in the decision for an election, protested very strongly against it. Therefore, a crisis of the Cabinet occurred in Vienna which, on the 11th of March, resulted in the resignation of the former Chancellor and in the formation of a new Cabinet. It is untrue that the Reich used forceful pressure to bring about this development. Especially the assertion which was spread later by the former Chancellor, that the German Government had presented the Federal President with a conditional ultimatum, is a pure invention; according to the ultimatum he had to appoint a proposed candidate as Chancellor and to form a Cabinet conforming to the proposals of the German Government, otherwise the invasion of Austria by German troops was held in prospect. The truth of the matter is that the question of sending military or police forces from the Reich was only brought up when the newly formed Austrian Cabinet addressed a telegram, already published by the press, to the German Government, urgently asking for the dispatch of German troops as soon as possible in order to restore peace and order and to avoid bloodshed. Faced with the immediately threatening danger of a bloody civil war in Austria, the German Government then decided to comply with the appeal addressed to it.

This being the state of affairs, it is impossible that the attitude of the German Government, as asserted in your letter, could lead to some unforeseeable reactions. A complete picture of the political situation is given in the proclamation which, at noon today, the German Reich Chancellor has addressed to the German people. Dangerous reactions to this situation can take place only if eventually a third party should try to exercise its influence, contrary to the peaceful intentions and legitimate aims of the German Government on the shaping of events in Austria, which would be incompatible with the right of self-government of the German people.

Please accept, Mr. Ambassador, the expression of my deepest respect.

signed: Freiherr von Neurath

To:
His Excellency
The Royal British Ambassador
Sir Neville Henderson
Berlin

I, Annemarie C. Catlin, X-046172, hereby certify that I am thoroughly conversant with the German and English languages, and that the above is a true and correct translation of Document 3287-PS.

ANNEMARIE C. CATLIN
X-046172

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AFFIDAVIT

Statement of
Gesandter Paul Otto Gustav Schmidt

I, PAUL OTTO GUSTAV SCHMIDT, being first duly sworn on oath, state:

1. I was an interpreter in the German Foreign Office from 1923-1945. Prior to 1939, my duties consisted of interpreting and keeping the minutes of discussions at diplomatic conferences. Beginning in 1924 my primary assignments at diplomatic discussions included the following:

1924	Conference of Stressemann and Herriot at London concerning Dawes Plan.
1924-1927	German-French trade negotiations in Paris.
1925	Locarno meetings.
1926	Meeting of League of Nations Assembly, Council and economic committees.
1927	World Economic Conference at Geneva.
1929	Hague Conference for final approval of Young Plan.
1930	Paris trade negotiations in reference to Saar, and other economic conferences.
1930	International cartel meetings.
1931	Laval visit to Berlin.
	Six Power Conference in London on economic matters.
	Visit of Bruening and Curtis to London.
1932	Geneva Disarma ment Conference.
1933	League of Nations Assembly; other conferences in London.
1933-1935	Meetings of German and French trade delegations.
1935	Visit of Eden and Simon to Berlin.

I was first called to interpret for Hitler in connection with the 1935 visit of Simon and Eden to Berlin. In fact, I served at virtually every meeting at which Hitler and Ribbentrop participated, and was with Goering when important visitors called and when he represented Germany in diplomatic conferences abroad. In recognition of these services, I P.O.S. was made councillor of Legation in 1935, Minister II Class after Munich and Minister I Class after Compiegne. Since 1939, I have been Director of BRAM (Bucro des Reichsaussenministers), and in 1944 I was made Chief of the POW and Civilian Internee Section.

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2. Whatever success and position I have enjoyed in the Foreign Office I owe to the fact that I made it my business at all times to possess thorough familiarity with the subject matter under discussion, and I endeavored to achieve intimate knowledge of the mentality of Hitler and the other leaders. Throughout the Hitler regime, I constantly endeavored to keep myself apprised as to what was going on in the Foreign Office and in related organizations, and I enjoyed such a position that it was possible to have ready access to key officials and to key personnel in their offices.

3. The general objectives of the Nazi leadership were apparent from the start, - namely the domination of the European continent, to be achieved, first by the incorporation of all German-speaking groups in the Reich, and secondly, by territorial expansion under the slogan of "Lebensraum". The execution of these basic objectives, however, seemed to be characterized by improvization. Each succeeding step apparently was carried out as each new situation arose, but all consistent with the ultimate objectives mentioned above.

4. The attempted putsch in Austria and the murder of Dollfuss on 25 July 1934 seriously disturbed the career personnel of the Foreign Office because these events discredited Germany in the eyes of the world. It was common knowledge that the putsch had been engineered by the Party, and the fact that the attempted putsch followed so closely on the heels of the blood purge within Germany could not help but suggest the similarity of Nazi methods both in foreign and in domestic policy. This concern over the repercussions of the attempted putsch was soon heightened by a recognition of the fact that these episodes were of influence in leading to the Franco-Soviet Consultative Pact of 5 December 1934, a defensive arrangement which was not heeded as a warning by the Nazis.

5. The announcement in March of the establishment of a German

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Air Force and of the introduction of conscription was followed on 2 May 1935 by the conclusion of a mutual assistance pact between France and the Soviet Union. The career personnel of the Foreign Office regarded this as a further very serious warning as to the potential consequences of German foreign policy, but the Nazi leaders only stiffened their attitude towards the Western Powers, declaring that they were not going to be intimidated. At this time, the career officials at least expressed their reservations to the Foreign Minister, Neurath. I do not know whether or not Neurath in turn related these expressions of concern to Hitler.

6. The re-entry of the German military forces into the Rhineland w as preceded by Nazi diplomatic preparation in February. A German communique of 21 Feb 1936 reaffirmed that the French-Soviet Pact of mutual assistance was incompatible with the Locarno Treaties and the Covenant of the League. On the same day Hitler argued in an interview that no real grounds existed for conflict between Germany and France. Considered against the background statements in MEIN KAMPF offensive to France, the circumstances were such to suggest that the stage was being set for justifying some future act. I do not know how far in advance the march into the Rhineland was decided upon. I person ally knew about it, and discussed it, approximately 2 or 3 weeks before it occurred. Considerable fear had been expressed, particularly in military circles, concerning the risk of this undertaking. Similar fears were felt by many in the Foreign Office. It was common knowledge in the Foreign Office, however, that Neurath was the only person in government circles consulted by Hitler who felt confident that the Rhineland could be remilitarized without armed opposition from Britain and France. Neurath's position throughout this period was one which would induce Hitler to have more faith in Neurath than in the general run of "old school" diplomats, whom he (Hitler) tended to hold in disrespect.

7. Although Italy did not consult Germany prior to commencement

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of its war against Ethiopia, the Nazi policy makers were pleased with this technique for handling international affairs. They saw also the possibility in this war to draw Italy away from Britain and France toward Germany, as well as the possibility of its undermining the collective security system of the League of Nations. The career officials in the Foreign Office were very much concerned with the possibility of strong sanctions being applied, particularly if the war should be seized as an opportunity to apply pressure on the Fascist dictators. In this conflict, Germany gave assurances that it would assist Italy, economically, to the utmost. This was done in the beginning of the discussions regarding sanctions. I am unfamiliar with the details of the assistance granted, but it is probable that these matters were settled through the German commercial attache in Rome or by means of trade delegations.

8. Plans for annexation of Austria were a part of the Nazi program from the beginning. Italian opposition after the murder of Dollfuss temporarily forced a more careful approach to this problem, but the application of sanctions against Italy by the League, plus the rapid increase of German military strength, made safer the resumption of the Austrian program. When Goering visited Rome early in 1937, he declared that union of Austria and Germany was inevitable and could be expected sooner or later. Mussolini, hearing these words in German, remained silent, and protested only mildly when I translated them into French. The consummation of the Anschluss was essentially a party matter, in which von Papen's role was to preserve smooth diplomatic relations on the surface while the Party used more devious ways of preparing conditions for the expected move. The speech delivered by Papen on 18 Feb. 1938, following the Berchtesgaden meeting, interpreted the Berchtesgaden agreement as the first step toward the establishment of a Central European commonwealth under the leadership of Germany. This was generally recognized in the Foreign Office as a clear phrophecy of a Greater Germany which would embrace Austria. (6202).

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9. The facts stated above are true to the best of my knowledge, information and belief. This declaration is made by me voluntarily and without compulsion. After reading over this statement I have signed and executed the same at OBERURSEL/Germany this 28 day of November 1945.

(Signed) PAUL OTTO GUSTAV SCHMIDT

PAUL OTTO GUSTAV SCHMIDT

Subscribed and sworn to before me at OBERURSEL/Germany this 28 day of November 1945.

(Signed) ROLF WARTENBERG

ROLF WARTENBERG.
1st Lt, INF.

(6213).

H1172-0075

TRANSLATION OF DOCUMENT 3756-PS
OFFICE OF U.S. CHIEF OF COUNSEL.

Decree concerning the creation of the administration and the German Security Police (Sicherheitspolizei) in the Protectorate of Bohemia and Moravia, dated 1st September 1939 (RGBL I, page 1681 - V B I R P-rot. Page 126).

The Cabinet Council for Reichs Defense decrees with legal power :

I. Creation of the German administration in the Protectorate of Bohemia and Moravia.

Par. 1

All authorities, public offices and officials of the Reich in the Protectorate of Bohemia and Moravia, with the exception of the armed forces, are subordinated to the Reich Protector.

Par. 2

The Reich Protector supervises the whole autonomous administration of the Protectorate.

Par. 3

The authorities of the Reich Protectorate have jurisdiction over all branches of the administration of the Reich government with the exception of the armed forces. Within the jurisdiction of the Reich Protectorate the organization of other special authorities, in addition to the Reich Protectorate, is forbidden.

Par. 4

The general representative of the Reich Protector, as regards managing officials, is the State Secretary, or if he is prevented, the Under State Secretary. The requisite officials and assistants to the authorities of the Reich Protector will be appointed. The Reich Protector will decide the inner organization of his officials in consultation with the Reich Minister

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TRANSLATION OF DOCUMENT 3756-PS
CONT'd

Par. 5

The Protectorate of Bohemia and Moravia is divided into Superior County Council districts (Oberlandratsbezirke). The Reich Protector determines the boundaries of the Superior County Council districts, in agreement with the Reich Minister of the Interior.

Par. 6

For each Superior County Council district a superior County Councillor (Oberlandrat) will be appointed.

The Oberlandrat is the authority subordinated to the Reich Protector in all branches of the government taken over by the Reich, with the exception of the armed forces, of the Reichsarbeitsdienst (compulsory labour service), of the Reichsfinanzverwaltung (Reich finance administration) as far as the administration of Customs are concerned, of the Reich postal service, of the Reich railways and of the administration of justice.

The Oberlandrat as such supervises the authorities of the Protectorate within his jurisdiction.

The organization of special Reich bureaus in addition to the Oberlandrat (par. 2 and 3) within his jurisdiction is forbidden.

All authorities, bureaus and officials of the Reich with the exception of the armed forces and the administration of justice are, within the jurisdiction of the Oberlandrat, Subordinated to him.

Par. 7

The Reich Protector can order that the authorities of the Protectorate shall make reports to him in certain distinct matters without being asked. He can likewise order that the subordinate authorities of the Protectorate Government or other bureaus of the Reich determined by him shall make reports of the same kind to the Oberlandraete. The Oberlandrat can likewise give an order of this kind within his jurisdiction.

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TRANLATION OF DOCUMENT 3756-PS
CONT'd

Par. 8

The authorities of the Protectorate are bound to submit laws and other legal rules, the latter as far as they concern more than one Oberlandratsbezirk, to the Reich Protector and all other legal rules to the Oberlandrat before their promulgation.

The Reich Protector can order that certain measures of the administration and valid sentences of the Courts have to be submitted to him at his command before they are carried out. The Oberlandrat has the same right within his jurisdiction.

Par. 9

Objections and decisions according to Article 5 of the decree of March 16th 1939 (RGBL I, p. 435) are binding for the Protectorate authorities. Objections made to the Reich Protector have no delaying effect.

II. German Security Police in the Protectorate of Bohemia and Moravia.

Par. 10

In the Protectorate of Bohemia and Moravia the Secret State Police and part of the Criminal Police are taken over by the Reich administration; the Criminal Police only as far as it is made necessary by the introduction of the German criminal jurisdiction.

Par. 11

It is the duty of officials of the German Security Police in the Protectorate of Bohemia and Moravia to investigate and combat all action inimical or dangerous to the State and people in the territory of the Protectorate of Bohemia and Moravia; to collect facts and take action on the results of their investigation; to guide the Reich Protector and his subordinate authorities; to keep them informed of events of importance to them and to provide them with the requistite initiatives.

Par. 12

The German bureaus subordinated to the Reich Protector and the authorities of the Reich Protectorate of Bohemia and

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TRANSLATION OF DOCUMENT 3756-PS
CONT'd

Moravia must comply with the directives of the State Police directorate; the authorities of the Protectorate must comply with the directives of the other bureaus of the Secret State Police in political police matters too.

Par. 13

The Reich Protector in Bohemia and Moravia, as well as the Reichsfuehrer SS and Chief of the German Police, in agreement with the Reich Protector, can take the necessary measures even beyond their otherwise determined limits for the purpose of maintaining security and order in the Protectorate of Bohemia and Moravia. They can transfer this authority.

Par. 14

The Reich Minister for the Interior/Reichsfuehrer SS and Chief of the German police issues in agreement with the Reich Protector of Bohemia and Moravia the necessary legal and administrative regulations to carry out paragraphs 10 to 14 of this Decree.

CERTIFICATE OF TRANSLATION.

I, Lt.Col. Clive Mc Cracken (retd.), hereby certify that am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 3756-PS.

CLIVE Mc GRACKEN

A.E.F. Permit No. 59681.

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GB 516 Filed June 25

PARTIAL TRANSLATION DOCUMENT 3758-PS
OFFICE OF U.S. CHIEF OF COUNSEL

TRANSLATION OF PAGE 594, ENTRY NO. 4 OF THE DIARY
OF REICH MINISTRY OF JUSTICE FOR 1936.

4. Reich Foreign Minister sent over, with a personal note for confidential information, a letter from Cardinal State Secretary Pacelli to the (German) Ambassador in the Vatican, in which he (Pacelli) presses for an act of pardon (Gnadenakt) for Chief Curate (General Vikar) Seelmayer. He the (RAM) remarks to this that after the heavy attacks on the German Administration of Justice (Reichsstand) by the Holy See in the note of 21 January, there is no reason in his opinion to show any deference (Entgegenkommen) to the Vatican. He recommends it however since, because of foreign policy reasons, it is valuable not to let cool off the good personal relations with Pacelli.

- -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 3758-PS

I, Sam Melo, U.S. Civ. B 210 776, certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct translation of Document No. 3758-PS.

SAM MELO
B-210 776.

TRANSLATION OF DOCUMENT 3771-PS
OFFICE US. CHIEF OF COUNSEL

N O T I C E :

In spite of repeated stern warnings, a group of Czech intellectuals has been attempting for some time, in co-operation with emigrant circles abroad, to disturb peace and order in the Protectorate of Bohemia and Moravia through greater or smaller acts of resistance. It has been possible to ascertain that ringleaders of these acts of resistance are to be found particularly in the Czech universities.

Since certain of these elements on 28 October and on 15 November allowed themselves to be carried away and took active measures against individual Germans, the

Czech universities
have been closed for a period of three years,
nine perpetrators have been shot,
and
a considerable number of participants have
been arrested.

Prague, 17 November 1939

The Reich Protector for Bohemia and Moravia,

Signed: Baron von Neurath

I, Virginia von Schon X 046 318, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct translation of Document 3771-PS.

20 March 1946

Virginia von Schon
X 046 318

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TRANSLATION OF DOCUMENT 3772-PS
OFFICE U.S. CHIEF OF COUNSEL

WARNING !

Considering the peculiar situation, the population of the Protectorate of Bohemia and Moravia is sternly and emphatically notified of the following:

With the establishment of the Protectorate, the Fuehrer and Reich Chancellor took the provinces of Bohemia and Moravia under his protection. The provinces of Bohemia and Moravia thereby became constituent parts of the Greater Germ Reich. The public life and economy of the Protectorate area are a part of the whole public life of the Reich and the whole German economy. The present situation demands a concentration of all forces and a calm and undisturbed cours of public life, particularly of economy. Whoever does not accommodate himself to these necessities, thereby makes himself known as an enemy of the Reich and must be treated accordingly. Therefore the following stern and emphatic warning is issued to the population of the Protectorate.

1) Any act of sabotage against the interests of the Greater German Reich, of the German administration in the Protectorate area, and of the German Wehrmacht will be prosecuted with unrelenting severity and will be punished with the severest penalties.

2) As acts of sabotage in the sense of No. I, are to be understood any disturbances of public life and economy, particularly damage to vital installations such as railroads, communication systems, water-works, electric installations, gas works, factories; furthermore, the retention of wares, price increases, dissemination of rumors either orally or in writing.

3) The population must unconditionally obey the special instructions that have been and will be issued by the Reich organs which are active in the Protectorate. Disobedience and refusal toward organs of the Reich are to be considered sabotage and will be punished accordingl

The responsibility for all acts of sabotage is attributed not only to individual perpetrators but to the entire Czech population.

I implicitly expect the Czech population to prove itself worthy of the autonomy granted to the provinces of Bohemia and Moravia by the Fuehrer, through loyal, peaceful and calm conduct.

Prague, August 1939

The Reich Protector in Bohemia
and Moravia
Signed: Baron von Neurath

- - - - - - -

I, Virginia von Schon, X 046 318, hereby certify that I am thoroughly conversant with the English and German languages and that the above is a true and correct translation of Document 3772-PS.

20 March 1946

Virginia von Schon
X 046 318

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TRANSLATION OF DOCUMENT NO. 3801-PS
OFFICE OF US CHIEF OF COUNSEL

Investigating Officer: General Dr. Ecer of the Judiciary Service

Recording Official: Milusa Kaslikova

Interrogated Person: K. H. F r a n k .

Present: Chairman of the People's Court: Chairman Dr. K o t t a k .

Date of the Protocol: 13th March 1946.

Place: Prison at Pankrac.

The investigating officer informed the prisoner Karl Hermann F r a n k that Konstantin von Neurath, as a defendant in the Nuremberg trial, submitted to the International Court in Nuremberg on 1st January 1946 an application to produce evidence in which he desires to provide evidence on the followings and demands K.H. Frank as witness:

The Security Police in the Protectorate was not subordinated to the Reichsprotector but received orders and instructions exclusively from Himmler through the mediation of the witness that is, K.H. Frank and carried these orders out without asking the Reichsprotector for his approval, as for example on the occasion of the students demonstrations in the middle of November 1939.

Question: Does this assertion on the part of von Neurath correspond to the facts?

Answer: According to the Ordinance on Organisation, that is, the ordinance of 1st September 1939, concerning the organization of the administration and the Security Police in the Protectorate of Bohemia and Moravia, the German Security Police in the Protectorate was formally subordinated to the Reichsprotektor. The Reichsprotektor could issue formal orders and instructions to the Security Police. In practice this was done in such a manner that the Reichsprotector issued indeed state-political instructions of a general character to the Security Police but that the detailed orders came directly from Berlin either from Himmler or from the Reichssicherheitshauptamt. These instructions came through me, but in the majority of cases they came direct. The Commandant of the Security Police was formally executive officer of the Reichsprotector.
I will explain this practice by the following example:

The Reichsprotektor, for example, could issue to the Security Police the general instruction that for reasons of Reich policy no action should be taken against the Vlajka organization. Naturally Himmler or the Reichssicherheitshauptamt could be of a different opinion and issue another order which the Reichsprotektor was obliged to carry out.

On the occasion of the students demonstrations direct instructions came to me from Hitler. I informed the Reichsprotektor by telephone, and he was responsible for the carrying out of these instructions just as I was responsible for their being carried out. I have already made a detailed statement in this connection and refer to the respective protocol.

The investigating officer then read to K.H. Frank a further passage from the above-mentioned application by von Neurath: By direct order of Hitler, orders and police measures were repeatedly signed with the name of the defendant Neurath and were published without the defendant's Neurath's knowledge.

Question: Is this assertion correct?

Answer: As far as I can remember I consider it impossible.

I do not consider it impossible in the case of measures taken by the Security Police, but I believe it is out of question in the case of decrees that is, it was of course out of the question that a police decree would have been signed or published with the name of von Neurath without his knowledge.

Read Aloud and approved:

Signed: Gen.Dr. Ecer Signed: Dr. Kozak

Signed: Koslikova Signed: Frank

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Supplement to protocol concerning K.H. Frank

Question: Is it known to you that the activities of the German Ministry of Propaganda in the period prior to November 1937 extended to the territory of the Czechoslovak Republic?

Answer: I can remember that German journalists were on several occasions in Prague in that period.

Question: Had the German Ministry of Propaganda in that period any connections with the SDP - Sudeten-German Party -?

Answer: To my knowledge there were at that time no connections between the SDP and the German Ministry of Propaganda.

Read aloud and approved:

Signed: Frank

Completed and signed:

Signed: Kaslikova

Signed: Gen. Dr. Beer

Signed: Kozak

Before taking the oath the witness declared that he could not state with certainty that on the occasion of the students' demonstrations a direct order from Hitler had reached him personally, but he knew for certain that this order from Hitler had reached Prague. Nor did the witness know exactly whether he had informed Reichs-Protektor Neurath of this Hitler order by telephone or perhaps by word of mouth in Prague or Berlin as he is certain to have had a meeting with the Reichsprotektor in Hitler's presence in Berlin on the same day.

Dictated aloud.

Having given his testimony the witness took the following oath:

I swear to God the Almighty and Omniscient that I have spoken the truth and nothing but the truth in answering all the questions that were put to me by the Court. So help me God.

Read aloud.

Witness:

Signed: Frank

Chairman of the Extraordinary
People's Court in Prague:

Signed: Dr. Kozak.

The investigating officer:

The recording official:

Signed: Kaslikova.

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Ministry of Foreign Affairs

P r a g u e .

C e r t i f i c a t e .

The Ministry of Foreign Affairs hereby certifies that the annexed paper is a State document within the meaning of Art. 21, Charter of the International Military Tribunal forming an exhibit to the Agreement of August 8, 1945 concerning the prosecution and punishment of the major war criminals of the European Axis.

Prague, March 19th, 1946.

Dr. Vlad. CLEMENTIS
Secretary of State.

I, Bert S t e i n hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document Nr. 3801 PS.

1 April 1946

Bert S t e i n
B - 21o875

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(Copy)

As far as I can remember the demonstrations on the 28th of October were a matter of spontaneous manifestations. There were rather large processions consisting of several thousands of people. This had been foreshadowed by the fact that one or two days before the 28th of October leaflets had been found in which the people were called upon to celebrate the national holiday, to go on strike, not to use street-cars and not to buy newspapers. The German police was alerted, that is, they had to stay in barracks. The demonstrations were pretty big, some 10.000 persons taking part in them. The central points of the demonstrations were the Wenceslaus Square, Prikopy, and Charles Square (Karlovo namesti). The demonstrators shouted "Long live Benes" , "Long live Czechoslovakia", "Down with Hitler", "Out with the Germans", and the like. The German Security Police and the German Secret State Police took action against the demonstrators and dispersed them.

Reichsprotektor N e u r a t h was not present on this day in Prague, but I myself was in Prague.

About noon on the 28th of October Adolf H i t l e r personally called up Prague by telephone and wished to speak with N e u r a t h . As he was absent Hitler then called me. Hitler was already very well informed, for he said he had news that serious anti-German demonstrations were taking place. He continued, saying that thousands of Czechs were demonstrating, and that they had been previously incited to these demonstrations by leaflets and that the situation was serious.

I was surprised that Hitler had precise news of the demonstrations, and I was firmly convinced that he had been informed by Himmler who had received reports from the German Secret State Police in Prague through the Supreme Reich Security Office

As far as I can remember I answered him by saying the demonstrations had been organized by the Czech resistance movement.

Thereupon Adolf H i t l e r ordered :

1./ that the disorders should be suppressed by all means at disposal,

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2./ that a visit be paid to State President Hacha who should be informed that he, Adolf H i t l e r , regarded the demonstrations as very serious since the Reich was engaged in war and the Protectorate as the heart of the Reich was of immense importance, and that particular peace and order must be preserved by every means ; that the Government would be held responsible for events, and that should the demonstrations be repeated, stern measures would be taken.

3./ I was recommended in case of need to make use of troops and suppress the demonstrations, employing even heavy guns if necessary.

As regards the orders given to me I would remark :

Point 1/ : the measures taken against the demonstrators had already so far succeeded that with the exception of a few small groups the demonstrations were over.

Point 2/ : I drove at once to Lany, and in a very serious talk about the events I stated that Adolf H i t l e r would not hesitate to make use of all means within his power to maintain peace and quiet. Dr. Havelka was present during this talk. The talk was conducted as usual in German. H a c h a was very much alarmed, he regretted that demonstrations had taken place and expressed his fear that they might be repeated. The Government, he said, would do everything to prevent a repetition of the demonstrations.

The German State Secret police received orders directly from Headquarters in Berlin. I myself informed Reichs-Protector N e u r a t h , and the commandant of the Security Police Dr. S t a h l e c k e r of my conversation with Adolf H i t l e r . I can no longer recall today in what manner I informed N e u r a t h , but I think it was by telephone to Leinfeld or to Berlin, and I gave him a report both about the demonstrations and about my talk with Adolf H i t l e r .

I remember also that I called up H i t l e r by telephone and announced to him that the demonstrations were over, that I had visited H a c h a and passed Hitler's order to him, and that I had used all means to restore peace and order. Some days later I submitted a written report to H i t l e r .

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The extent of the demonstrations surprised us. ---

When Opletal, the student who had been wounded during the demonstrations on 28th October 1938 died, a report was made, so far as I remember, to the Office of the Reichs-Protektor by the German Secret Police that the funeral of the dead student was to be made the occasion of new demonstrations. I do not know from whom the German Secret State Police received that report.

As soon as the information came in, I gave the Commandant of the Security Police a general hint - a command if you like - to prevent a repetition of the demonstrations by all means.

The German Secret State Police made use even of Czechs as informants and I admit that the police gave these informants orders to observe any preparations in the enemy camp and to report all they observed.

As far as I can remember the funeral of the student O p l e - t a l was not prohibited, but was restricted as much as possible, that is, only the relatives and friends of the deceased were allowed to attend. To grant this permission was, on the formal side, a matter for the Oberlandrat in Prague and was subject to the approval by the German Secret State Police. In the last instance the Commandant of the Security Police issued the permit, and he certainly enquired of me beforehand whether I approved of the intended measures, or of the arrangements for the funeral, respectively. The orders issued by me to prevent demonstrations at all costs applied also to the funeral. To enable the carrying out of the instructions a general alert was ordered. In spite of it little demonstrations in comparison with those which had taken place on 28th October, took place.

On the day of the demonstrations the Commandant of the Security Police together with the German Secret State Police had received a new order from Berlin which read approximately as follows : After a short justification on the ground that further demonstrations threatened to follow those of the 28th October it was ordered that :

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1. The instigators of the demonstrations be arrested and shot. It was a matter, as far as I can remember, of 9 persons.
2. A considerable number of students be arrested and sent to a concentration camp.

I received this order for my information. After this order was received from the Fuehrer it was not necessary for me to issue further orders. As a higher SS and Polizeifuehrer it was my duty, however, to make sure that the orders of H i t l e r were carried out and if necessary to report on this.

The responsibility for all these events /the shooting, arrest and deportation of students, etc,/ lies not only with H i t l e r and H i m m l e r but also with the Reichs-Protector and myself, especially because the students were shot without any legal trials. However, it was practically impossible to do anything against an order issued by H i t l e r .

As to the proclamation of 17th November 1939 /annex ...../ which has been submitted to me and which contains the sentence: ... . " ..... a considerable number of those who took part was arrested .... 9 culprits shot", it can only be said that this is against every human law and conception. This is one of many other acts repeatedly done in the National-Socialist State Dictatorship against different nations as an order from the Fuehrer. In Czechoslovakia this was the first case : Lidice and Lezaky are further cases.

The execution of the Fuehrer's order against the students was entrusted to the Commandant of the Security Police Dr. Stahlecker, and to the Commandant of the General Police K a m p s by H i m m l e r as the Head of the German police. The order, signed by Himmler, made reference to H i t l e r ' s authority.

I still recall that in the evening hours of the 16th November 1939 a discussion at which I was present took place in the Petschek Palace at the Headquarters of the Commandant of the Security Police. Besides me there was Dr. S t a h l e c k e r , Dr. G e s c h k e on behalf of the German Secret State Police in Prague, and the Head of

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the Gestapo in Brno whose name I do not remember any more. In addition to them there was also B o e h m e . The question concerning the finding out of the instigators of the demonstrations and the arresting of students was discussed. At the time of these discussions several students, about 5 of them, were already under arrest in the Petschek Palace.

I myself did not interrogate the students but I asked them several questions. I do not remember if the questions are those which have been read over to me in the course of my interrogation, and I cannot say what questions I asked. The students were in a room in which the officials of the German Secret State Police interrogated them, I myself passed through the room and at the same time put questions to them. It was all probably in connection with the fact that during the discussions it had been stated that in the building there were already several students who were to be shot.

In the second night after the demonstrations, the Czech students' hostels in Prague and Brno were occupied by German police and the students on the premises were arrested. That was reported to me. In Brno the operations against the students were carried out on orders from the Reichssicherheitshauptamt ; it was probably stated in the orders that steps were to be taken against Czech students in Prague and Brno. This was action typical of the Reichssicherheitshauptamt and of H i m m l e r : students' demonstrations - therefore steps against a l l students.

The consultations in the Petschek Palace which I have already referred to concerned the carrying out of given orders, and I took part in them to make sure that the Fuehrer's orders were carried out.

When the German Secret State Police ascertained the students designated as instigators of the demonstrations, these students were shot in the barracks at Ruzyne on the 17th of November 1939 by a detachment entrusted with executions. N o s e n t e n c e s h a d b e e n p a s s e d .

In the given case it was a matter of an order from the German

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Secret State Police, that is, its Head H i m m l e r , and I had no reason for issuing any further order. I received the report of the carrying out of the execution ; it is possible that I initialled this report and passed it on to superior authorities.

I do not know where the murdered students were buried nor was it ever reported to me. I believe they were cremated, for the German Secret State Police generally had persons thus executed cremated.

I cannot say why precisely 9 students were chosen as instigators and shot. It is possible that the German Secret State Police together with their informants - Czechs, elected the murdered youths, I myself knew that 9 persons were to be shot, but I did not worry further about these persons any more just as I did not worry generally about individual items concerning the carrying out of orders, finding out of the names and fate of the victims. For me the Fuehrer's command was a command.

As to the question whether these executions contituted a murder I must admit that according to human sentiment and human laws they must be designated as murder.

On the 16th of November 1939 the Reichs-Protektor with myself and the Czech Minister Dr. C h v a l k o v s k y were called to the Reich Chancellery. There H i t l e r announced to Dr. C h v a l k o v s k y and gave him the order to report it to his Government - that despite his warnings after the demonstrations on 28th October new serious demonstrations had taken place which threatened the safety of the Reich, this time on the part of students. He had therefore, he said, ordered that the instigators be shot and a considerable number of students sent to a concentration camp. He had further ordered that all the Czech Universities and colleges of university level were meantime to be closed for a period of three years, their property sequestrated and their buildings and equipment used for German purposes.

Who proposed to H i t l e r the closing of the Czech Universities I do not know. Under the order for closing a German

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commissioner was appointed by the Office of the Reichs-Protektor for the Czech Universities, and this commissioner was entrusted with the administration and the disposal of all material.

H i t l e r by means of this order desired to carry out a special measure against the Czech intelligence as a punishment for the demonstrations.

To the question whether there existed a plan aiming at the restriction of Czech education I answer : Yes.

It was a general plan for a reduction of the over-expansion of Czech institutions, and in this sphere steps were taken to carry out various measures, especially in the field of education. This was as early as the year 1939. This plan arose on the initiative of the Education Section of the Office of the Reichs-Protektor. The system of education was to be reduced to the level at which it had stood in the year 1918.

As regards the material belonging to the Czech Universities I had reports submitted to me by the commissioner who had been appointed. Personally I did not investigate this matter, and I did not know to this day that the material had been destroyed, and that sick persons had been thrown out of Czech clinics. I learned only about military units, billeted in the new Czech College of Technology, who caused damages there. I did not concern myself personally about the state of these affairs.

The arrest of Czech students is included in H i t l e r ' s order and was carried out by the German Secret State Police in Prague and Brno. All the detailed instructions, as far as I know, were given by the Reichssicherheitshauptamt direct to the leading executive organs in Prague and Brno. I learnt subsequently, as far as I remember, that some 1000 to 1200 students were arrested and sent to the concentration camp at Oranienburg. Nothing is known to me about the maltreatment of the SS and police, nor were any reports made to me to this effect. All that was reported to me was that the students had been arrested and taken away in motorbuses. The municipality of Prague placed the motorbuses

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at the disposal of the police, and it is possible that the German Secret State Police requested my office to support their application for the supply of an appropriate number of motorbuses to convey the students away, and that the municipality was ordered by my office to supply these motorbuses.

From reports given in London broadcasts I learnt that Czech students had been maltreated, and I therefore asked the Commandant of the German Security Police whether this was true. In reply he declared that no one had been maltreated, and so I then took no more notice of the matter.

The Czech Government and the State President appealed several times in the course of some months in the year 1940 to the Reichs-Protektor and asked for the release of the students from the concentration camp. N e u r a t h personally attempted to secure the release of at least a part of the students and I personally supported N e u r a t h ' s appeal once on the occasion of a visit to Prague by H i m m l e r . Gradually a number of students was released. I did not know that the students were maltreated at Oranienburg and that several of them died there. I personally endeavoured to secure permission for sending packages to them. It was reported to the Reichs-Protektor and to myself that students were continually being released from the camp at Oranienburg. I believed the reports of the commander of the Security Police and did not check up to see if the reports corresponded to the facts. It was also difficult to do so without enquiring of Czech parents, and so I did not personally make sure whether these reports about releases were true or not.

The report on the arresting of the students and their deportation to the concentration camp at Oranienburg in Germany I probably received from the German Secret State Police and the Commander of the Security Police, but I cannot remember whether I submitted any report myself. Finally I would add that I spoke with the students in the Petschek Palace - as above stated - only because I knew that this or that student was to be shot.

To the question whether N e u r a t h took any steps against the Fuehrer's order with respect to the students, especially against their being shot, I must say that nothing is known to me of his having undertaken

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anything against it.

This copy accords literally with the original protocol taken by General Bartik in the prison of the District Criminal Court in Prague, No. of pages 123 to 133 of the exhibits of the Ministry of the Interior, Political Press Section, No. c.j.Z.h. 3068 °/In the matter of K.H. Frank, Criminal Proceedings/. Protocol signed by K.H. Frank with his own hand.

Extraordinary People's Court, Prague,
Dept. IX., 15th March 1946.

/Signed/ Dr. Kozak

Seal of the Extraordinary
People's Court, Prague

MINISTRY OF FOREIGN AFFAIRS

P R A G U E

C e r t i f i c a t e .

The Ministry of Foreign Affairs hereby certifies that the annexed paper is a State document within the meaning of Art.21, Charter of the International Military Tribunal forming an exhibit to the Agreement of August 8, 1945 concerning the prosecution and punishment of the major war criminals of the European Axis.

Prague, March 19th, 1946.

Dr. Vlad. CLEMENTIS
Secretary of State.

I, Irene VRBOVA , hereby certify that I am thoroughly conversant with the Czech and English languages ; and that the above is a true and correct translation of Document No 3802-PS.

Nuremberg, 1 April 1946. Irene Vrbova

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TRANSLATION OF DOCUMENT 3826-PS
OFFICE OF U.S. CHIEF OF COUNSEL

Translator's Note :-
Document 3826-PS is a Photostat copy of Neurath's report on his talk with Hacha dated 26th March 1940 (Cf. Constant. von Neurath's Responsibility for Crimes against Czechoslovakia", USSR-60, page 7.

R e p o r t .

Nr. Rpr. 575/40.

On the occasion of his visit on 20th March 1940, State-President Hacha handed me various reports which he said his gentlemen had handed to him. He gave a few short explanations about them, but added that everything he had to say was in the reports themselves. I had no occasion to read these reports.
To Mr. Hacha's individual remarks I replied as follows :

1) Interness and students.

Herr Hacha pleaded for the liberation of both political prisoners and students on the ground that the behaviour of the Czech population had shown that a far reaching comprehension of the present situation and of the necessity for working together had dawned on the people. Herr Hacha tried, at length, to prove these remarks. (The conversation lasted two hours). I replied to Mr. Hacha that Liberation of all political prisoners could not possibly be granted. In individual cases we had, as he knew, already liberated a number of prisoners. This would also be our line of action in future, in particular cases. As regards the students, I had recently spoken to the Fuehrer about them. But the Fuehrer had not yet come to any decision.

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2) National Community and Vlajka.

I declared, on this subject, to Mr. Hacha that I had from the beginning declined to concern myself with the inner political formation of Czech events, that the statement of the Vlajka Fuehrer regarding connections with German official quarters was partly untrue and partly exaggerated. The personal and moral qualities of the Vlajka Fuehrer were amply known to me. But I must stress the fact that this movement is the only one which has hitherto positively been favorable to the German Reich and co-operation with it. In this repect, until the proclamation by Herr Nebesky dated 15th March 1940, I had not seen any signs of expression or activity by the National Community (NS). When the illegal military organizations were prosecuted it also appeared that a lot of members of the National Community were implicated in them. It was therefore unfortunately impossible for me to agree in praising the activities of the National Community.

3) Legionaries.

In this matter the President of the State appeared to me to be particularly impressed by an expression contained in a letter from State Secretary Frank dated 11th March 1940, in which all Legionaries were to be characterized as enemies of the State. In reply to the very lengthy and renewed explanations by Mr. Hacha about the Legionaries, I stated to him :

It was not correct that we refused all legionaries without distinction. I had to refute his claim that the activity of the legionaries in the previous war was only due to their having been forced to take sides against the Hapsburg Rulers. The legionaries fought against the Reich in the last war. Their conduct towards German prisoners in Russia had moreover not been forgotten. For us, they were at present traitors to the country,

and we could only make a difference among them according as to whether they joined the Legion freely of their own will or after being taken prisoners by the States who were then our enemies. It was therefore better to avoid any discussion, on the subject of the Legion, between us.

Prague, 26th March 1940.

CERTIFICATE OF TRANSLATION
OF DOCUMENT 3826-PS

2nd April 1946

I, Lt. Col. Clive Mc Cracken (retd.), hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 3826-PS.

CLIVE Mc CRACKEN,
A.E.F. Permit 59681.

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GB 524 Filed June 25

TRANSLATION OF DOCUMENT 3857-PS
OFFICE OF U.S. CHIEF OF COUNSEL

The Reich Protector
in Bohemia and Moravia. Prague, 25th November 1939

No. I Ia - Secret

1. Chancellery to prepare copy of the bracketed portion of the draft of 16th November 1939 from the dossier re oath of loyalty of employees of the Protectorate.

2. To be humbly submitted to the Under Secretary of State, again enclosing:

(a) the draft X 119/39 Secret

(b) a copy of my file note submitted 16th November 1939, with the following opinion on (a):

The necessity for finding other employment for students who have become idle as a result of the closure of the Czech Universities in the Protectorate was already mentioned by me as can be seen from (b), when considerations regarding the closure of Universities were put forward and is recognized by me now as formerly - the more so as it is now certain that the number of persons affected is very much higher than one originally assumed.

This necessity arises especially from the fact that all the students have a more or less chauvinistic attitude and have to be prevented from infecting the population politically throughout the entire territory of the Protectorate, after their departure from the Universities to their homes.

I immediately suggested the introduction of compulsory labour service as a radical method.

In the meantime, however, I was informed by competent offices during my recent stay in Berlin that unemployment is beginning to make itself felt within the Reich on a considerable scale, and in particular that important industrial plants to which large detachments of Czech workmen who had come into the Old Reich voluntarily

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were allocated were begging to be allowed to release these workers back into the Protectorate. This I countered with the statement that the release of large detachments into the territory of the Protectorate were out of the question, and that these detachments had rather to be put to work at places where foreigners were still employed in large numbers (Italians, Slovaks, Jugoslavs, etc.), as for instance at the Hermann Göring Works. I consider it politically far wiser to send the foreigners back home instead of releasing Czech workers who had gone of their own free will into the Reich back into the Protectorate, where they would spread rumours with the usual exaggerations - about the unemployment which is starting in the Reich and might give undesirable material to the whispering propaganda. At least as long as foreigners are still employed in organized groups in the Reich, the release of workers from the Protectorate should be avoided.

From that it is clear that in Reich territory the utilization of fresh groups of workers from the Protectorate has little chance of success. Then there is also the question, which has still not yet been settled of the possibilities of transporting large groups into the Reich.

But there is above all the further point that, as against the workers from the Protectorate employed in the Reich hitherto, the students enrolled for compulsory labour are not taken to the Reich voluntarily but only by force on the basis of the decree for compulsory labour. As they must in any case be looked upon as sources of discontent on account of their political opinions, they will, owing to the closure of the Universities and compulsory labour, have to be regarded as politically specially dangerous elements; dangerous not only to the other workers in the Reich but also to their fellow Czech workers. For, in case of compulsion on the basis of the decree for compulsory labour, it will not only be the students who have become

H1172-0101

idle who will be enrolled but also members of all the other various professions and strata of society who belong to an age group due for calling-up.

In such a situation, it appears to me doubtful whether it is advisable to send into the Reich the students who are to be given other occupation via the Compulsory Labour Decree and the members of other professions due for calling-up simultaneously owing to their age groups. I would be far more in favour of employing them only on Protectorate territory to begin with, e. g. on the building of the Oder-Danube canal, the autobahn etc. A profitable utilization within Reich territory, outside of the Protectorate, appears to be only possible once peace-time conditions are re-established.

3. Please put this on the file relating to "The Compulsory Labour Decree".

CERTIFICATE OF TRANSLATION

I, Major Leslie A. Hill, hereby certify that I am thoroughly conversant with the English and German languages and that the above is a true and correct translation of Document 3857-PS.

L. A. HILL.

TRANSLATION OF DOCUMENT 3858-PS
OFFICE OF U.S. CHIEF OF COUNSEL

The Reich Protector
Bohemia and Moravia
Head of Group X
X/119/39 Secret

Prague, 21 November 1939

S E C R E T!

1) Note.

Report from: Oberregierungsrat Dr. Dennler.

Re: Enrolment of students affected by the closure of Czech Universities.

According to the data at my disposal the number of students affected by the closure for 3 years of the Czech Universities is 18,998.

According to the Press communications dated the 21st of this month only 1,200 persons were arrested in connection with the events of the 15th of this month. Even if it were only students who were affected by this - of which I am not aware - there nevertheless remains some 17,800 people who are suddenly faced by a change in their whole way of living which affects them in every respect.

This fact calls for a rapid examination of the question as to what is to become of this mass of persons who have become unemployed.

What gives rise to this question is, on the one hand, the imminext expectation of a certain political danger and, on the other hand, the fact that the further idleness of such a considerable number of Protectorate subjects can not be tolerated.

The expectation of a political danger I deduce from the well-known tendency of young Slav students to commit acts of terrorism. (I need only refer to Favrilo Princip (28/6/1914), Lenin's brother (attempt of the Czar's life), Dora Brillant (famous Russian terrorist etc.) If the young Czech students have so far not had recourse to such means (such events are unknown to me in recent Czech history), this is probably because they had no direct cause to do so. But now

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the lives of a number of young undeveloped people have been interfered with by the closure of the universities, we shall have to reckon, in my opinion, with reactions. (Translator's Note: Manuscript marginal note to this document reads: "In this connection it should be stressed that - contrary to the Old Reich - an extraordinarily high percentage of students come from the working classes. It will therefore, be easier for the expelled students here than in the Old Reich to act as bearers of ideas among the working classes during the time in which the Universities are closed").

In order, on the one hand, to meet this danger and, on the other hand, to meet the impossible situation - for the other reasons set forth above - where thousands of people in the Protectorate are allowed to remain idle, I consider it necessary to conscription for labour such members of the above-named category as are suitable therefor.

But in my opinion only employment in the Old Reich can be considered, for which the government decree re general compulsory labour service dated 25/7/1939 would give the requisite legal authority. Their employment in the Protectorate is, in my opinion, not possible for political and security reasons, and is also out of the question owing to the lack of suitable accommodation near the Autobahns, which are probably the only places where one could consider employing them. On the other hand, their employment for a limited period on the Autobahns in the Old Reich could, according to my information, be carried out without further ado because there is sufficient barrack-space available there.

Should the intention of using the people concerned for labour in Germany be followed up, it would be necessary to exchange views beforehand with Secretary of State Dr. Syrup. There would, in addition, be the matter of transportation to be settled, about which I cannot give an opinion.

H1172-0104

TRANSLATION OF DOCUMENT 3858-PS
continued

Via Chief of Division II,

Ministerialrat Dr. Bertsch,

To the Under Secretary of State
von Burgsdorf.

(Dr. Dennler)

Pencil note:

I am for a quick clarification of these matters following Dennler's suggestion.
II B 22/XI/39

CERTIFICATE OF TRANSLATION

I, Major L. A. Hill, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct translation of Document 3858-PS.

L. A. Hill

H1172-0105

TRANSLATION OF DOCUMENT 3859 PS
OFFICE OF U.S. CHIEF OF COUNSEL

Prague, 31st August, 1940.

No.Rpr. 1391 / 40

Dear Herr Lammers,

Encl. 1 Enclosed I send you the memorandum, which I mentioned in advance in my letter of the 13th July 1940, No. Rpr. 1197 / 40, about the question of the future organization of the Bohemian-Moravian country.

Encl. 2 I enclose another memorandum on the same question, which my Secretary of State K.H. Frank has drawn up independently of me and which, in its train of thoughts, leads to the same result and with which I fully agree. Please present both memoranda to the Fuehrer and arrange a date for a personal interview for myself and Secretary of State Frank. As I have heard from a private source that individual Party and other Offices intend to submit proposals to the Fuehrer for separating various parts of the Protectorate under my authority, without my knowing these projects in detail, I should be grateful to you if you would arrange the date for my interview early enough for me, as the competent Reich Protector and one who understands the Czech problem, to have an opportunity, together with my State Secretary, to place our opinions before the Fuehrer before all sorts of plans are suggested to him by other people.

Heil Hitler,

yours,

(signed) Freiherr von Neurath.

To the

Head of the Reich Chancellory,

Reich Minister Dr. Lammers,

Berlin W.8.

Vossstr. 6.

H1172-0106

C O P Y

Enclosure 1

Secret!

Memorandum concerning the question of the future organization of the Bohemian-Moravian territory.

I. Any considerations about the future organization of Bohemia and Moravia must be based on the goal which is to be laid down for that territory from a political and national-political point of view.

From a State-political standpoint there can be but one aim: total incorporation into the Greater German Reich; from a national-political standpoint to fill this territory with Germans.

II. A brief review of the present position from a State-political and national-political standpoint, as it can be seen from the observations and experiences since its incorporation into the Reich took place, will point the path which must be followed to attain the clear and unambiguous aim.

1) It is not as a result of warlike events that Bohemia and Moravia have become a component part of the Greater German Reich. After Slovakia had left the union of Czechoslovakia on the 14th March 1939, the remainder of Czechoslovakia joined the Greater German Reich on the 15th March, 1939 in recognition of the real interests of their country, under the leadership of State President Hacha, and were received into the Greater German Reich in the form of a Protectorate, in view of the peculiar circumstances of the "Anschluss". This evolution differentiates that country fundamentally from other territories in the East, North and West, which have become or are still to become component parts of the Greater German Reich as a result of a victorious war.

2) In this land of Bohemia and Moravia there live some 7.2 million Czechs. The settlement area is almost a solid bloc, once the prevailingly German parts of the former Czechoslovakia had been separated on the 1st October 1938. The small German-speaking oases can not alter this materially. The circumstances of a national nature in Moravia and the so often publicized thesis of the completely different national composition of this part of the country cannot be recognized as of fundamental importance for making final decisions.

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These 7.2 million Czechs, of whom 3.4 millions live in towns and communities of over 2000 inhabitants and 3.8 millions in communities of under 2000 inhabitants and in the country, are led and influenced by an intelligentsia which is unduly puffed up in proportion to the size of the country. This part of the population also tried, after the alteration of the constitutional situation of this area, more or less openly to sabotage or at any rate postpone necessary measures which were intended to fit the circumstances of the country to the new state of affairs. The remainder of the population, i.e. small craftsmen, peasants and workmen, adapted themselves better to the new conditions. At any rate, trade and traffic did not come to a standstill. The peasants tilled their fields, whilst workers in all concerns, including armament concerns, carried out their tasks satisfactorily. Assimilation to the wartime economy of the Old Reich, and an increase in agricultural production by intensive productive methods were achieved, whilst the specially arduous tasks set this country as regards armaments were completely fulfilled.

The machinery of the Protectorate government and of its officials has also functioned in spite of individual cases of resistance, although it is mostly controlled - at least in higher positions - by precisely those persons who belong to the above-mentioned intelligentsia.

Even if measured by the most rigorous standards it can therefore be said that this country has - even in wartime, which demanded of both government and people an unexpectedly rapid change-over - carried out its duties as part of the Greater German Reich, in the constitutional structure which has been given to it.

3) But it would be a fatal mistake to conclude from this that the government and population behaved in this correct manner because they had accepted inwardly the loss of their independent state and incorporation into Greater Germany. The Germans continue to be looked upon as unwelcome intruders and there is a widespread longing for a return to the old state of affairs, even if the people do not express it openly.

By and large, the population submits to the new conditions but they only do so because they either have the necessary rational insight or else because

they fear the consequences of disobedience. They certainly do not do so from conviction. This will be the state of affairs for some time to come.

III. But as things are like that, a decision will have to be taken as to what is to be done with the Czech people in order to attain the objective of incorporating the country and filling it with Germans as quickly as possible and as thoroughly as possible.

1) The most radical and theoretically complete solution to the problem would be to evacuate all Czechs completely from this country and replace them by Germans. But this solution is not possible because there are not sufficient Germans to fill immediately all the vacant spaces which will in a measurably short time belong to Greater Germany. Even if the urgency of Germanising the Bohemian-Moravian country is recognized and even if it is admitted that it is easier to bring Germans to this area - at any rate from the Old Reich and from Austria - than to Poland, it would probably be impossible to carry out the radical solution in a short while unless we were prepared to allow fields to remain fallow and towns to become deserted. But when we take the total position in the Reich into consideration, that is impossible. To carry out the most radical solution would also require decades.

2) But to attain the objective of filling this area with Germans, a total evacuation of Czechs is not necessary.

If one looks at the population of the present Protectorate area more closely, one is astonished at the large number of blonde people with intelligent faces and well built bodies, people who would hardly strike one unfavourably in Central Germany or Southern Germany, not to speak of the region east of the Elbe. In view of the great amount of intermarriage with Teutons which has gone on during the past millenium, I consider it would be quite possible, - for this reason if for none other - to leave a large part of the population in Bohemia and Moravia. In that respect the Czechs differ fundamentally from the Poles, and can therefore not be treated according to the same principles. It will, where the Czechs are concerned, rather be a case on the one hand, of keeping those Czechs who are suitable for Germanisation by individual selective breeding whilst on the other hand expelling those who are not useful from a racial standpoint or are enemies of the Reich (i,e. the intelligentsia which has developed in the last 20 years). If we use such a procedure, Germanisation can be carried out successfully.

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IV. In my opinion, therefore, neither can the Czech people be quickly eliminated from this area nor is it proved that such elimination would be in the interests of the Greater German Reich. To decide the question as to what is to be done with each individual member of the Czech people, i.e. whether he is to be received into the German national community for assimilation or whether he is to be kept apart from it, will need many years.

V. There then arises the question: what constitutional form shall this country have during the transitional period, which I estimate at a minimum of two generations, and how is it to be administered.

In accordance with what I have explained above, we have to start from the fact that we must reckon with the presence of about 7 million Czechs who live almost in a solid bloc. For the constitutional form of the Protectorate for the Czech rump State, it was originally points of view based on foreign policy that counted above all. But this form has, after the experience we have gained in close on 1½ years, proved itself in the field of home politics and administration as well. There is therefore no essential reason to depart from it.

For the administration of the Bohemian-Moravian country by German officials alone we have not got the manpower. Every man who thinks in a statesmanlike and simultaneously practical way therefore has the idea that the simplest way is to let these Czechs administer themselves within the framework of the Greater German Reich and in accordance with its aims, i.e. to leave them an administrative organisation of their own and to give them administrative autonomy within the limits just mentioned. And finally, it will be such an administration, in tune with the majority of the population, that will best succeed in ensuring quiet and order, and consequently the smooth running of daily life in this area. A German administration modelled on the lines of the German Gaus could not but have a disquieting effect, because it would all too easily be tempted to use administrative methods employed in the Old Reich which would not be suitable here and because - in its whole being - it is much too intensive not to arouse resistance unnecessarily.

Equally, the German administration must continue in the transitional period to limit itself to supervising the actual administration of this country, to laying down guiding lines according to which the administration is to be carried out and to issuing orders to guarantee and further at all times the interests of the Greater German Reich. The activity of the German administration here is

thus a governing activity. It is clearly delimited in the decree of the 16th March 1939. I must insistently warn you against abandoning this kind of German administration before this area has become Germanised. It is simple and clear-cut and entails intervention only if the execution of the Fuehrer's political directives is endagnered.

But then it also becomes apparent from this that the Czech problem can only be handled homogeneously and by one central Reich bureau. Any dismemberment of Bohemia and Moravia is bound to endanger the clear, unified direction of the Czech administration and the Czech people. However clear the objective and the means may be, they are nevertheless bound to be variously interpreted by various administrations and then the methods used are also bound to differ. In view of the mentality of the Czechs and their great tactical skill, they will soon find ways and means of playing off the various administrations against one another. Their tactical political ability has been schooled through hundreds of years. A forced partition of the country would fan up political nationalism anew and only strengthen opposition. Therefore, direction must come from one central government authority, in the hands of one person only. The Czech problem cannot be solved at one fell swoop. For the Germanisation of this country, many separate means will have to be adopted in the most varying spheres, and because these means will require many years to become effective, a constant unified direction of Bohemia and Moravia will be necessary. In a struggle between races nothing is more harmful than a vacillating attitude and an ununified line.

A Reich policy can be followed in the Protectorate only by central direction. But if we, for instance, ceded Moravia to the Niederdonau Gau (Lower Danubian district), not only would a differentiation between Bohemia and Moravia arise, but the accession of this district might even place Austria face to face with new difficulties in its relations to the Reich, which would above all also entail for the Greater German Reich itself dangers that should not be under-estimated.

The necessity of a unified direction of policy towards the Czechs is not affected by the fact that not all Czechs live in the Protectorate. The Czechs who live in neighbouring districts, outside the Protectorate, are just "splinters" without any significance as compared to the mass living in the Protectorate. When they are being Germanised or removed, we can go at quite a different speed, and other methods can be used for handling such minorities. These

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differentiations need not disturb us. The real Czech problem only exists in the Protectorate. And that is why, in the long run, it can only be settled here.

VI. The incorporation of the Sudeten district into Bohemia/Moravia for historical reasons does not appear appropriate, even if one takes into account that this strengthens the number of Germans.

VII. If one considers the gigantic tasks facing the German nation after a victorious war, the necessity for a careful and rational utilization of Germans will be apparent to everyone. There are so many tasks that have to be tackled at once and simultaneously that a careful, well thought out utilization of the Germans who are suitable for carrying out these tasks is necessary. The Greater German Reich will have to make use of the help of foreigners on a large scale in all spheres and must confine itself to appointing Germans to the key positions and to taking over the reins of public administration where the interests of the Reich make it absolutely necessary (e.g. military and parts of the police).

In the Protectorate there is in existence a (Czech) Protectorate administration working along technical lines and organized according to the needs of a modern State, and this can do the greater part of the work that is done in the Reich itself by the German administration. It is even possible that when the war is over it may be given further tasks that are now performed by German authorities. It will suffice to incorporate comparatively few Germans into the key positions of the Protectorate's administration and to have a German leadership in Bohemia and Moravia composed of a comparatively small number of German government authorities.

VIII. The past of Bohemia and Moravia, the history of the country which is of particular importance to the German nation and which is reflected in the history of the capital, Prague, and the particularly heavy tasks which - as far as the human mind can see - will devolve on that city in a racially foreign area, make it appear an absolute necessity not to weaken its position as the centre of Bohemia and Moravia in any way by breaking off parts of the territory. Any city that is to be a focal point requires sufficient space to keep such a position. Such a city must be the gravitation-point of a large area having a big population, in order to be able at the same time to radiate and fructify the area and population with the yields of its spiritual, cultural and industrial labours. In the case of Prague there is the additional point that it would be prevented

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from fulfilling its historical role of gaining influence further south eastwards as well if its old hinterland of Bohemia and Moravia were cut into, precisely at a time when this age-old German city of Prague is at last once more placed in a position to exert this influence according to the ideas of and for the benefit of the Greater German Reich. Even if the broad political lines are laid down in Berlin for the South East countries too, the individual threads, at least in the industrial and cultural spheres, will still emanate to a large extent from here, on account of the position of Prague and its past.

That is why this country deserves special attention and furtherance, in the interests of Greater Germany. We should beware of experiments, even of a purely administrative kind, which would only too easily make it difficult to attain the clear and unambiguous object of the gradual confounding of land and population with Greater Germany and the role that is due to this country on account of its geographical situation and history.

Copy certified correct:

SS (Obersturmbannfuhrer) (Lt. Col.)

CERTIFICATE OF TRANSLATION

I, Major L.A. Hill, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct translation of Document 3859 PS.

L.A. Hill,
Major,
D.A.A.G.

H1172-0113

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ENCLOSURE NO. 2.

MEMORANDUM. ON THE TREATMENT OF THE CZECH PROBLEM AND THE FUTURE ORGANISATION OF THE BOHEMIAN - MORAVIAN TERRITORY

THE PURPOSE OF THE MEMORANDUM

The Protectorate of Bohemia and Moravia was established under definite political conditions and the legal and political order it received at the time arose from these conditions. (14.3.1939). The question as to whether the Protectorate, with a Reich Protector at its head, is suitable for settling the Czech problem and should therefore be retained, or whether it should give place to some other form of government is being raised by various people and is the cause of this memorandum. It will briefly

(A) Indicate the nature of the Czech problem;

(B) Analyse the present way in which it is being dealt with;

(C) Examine the proposed alterations from the point of view of their suitability and finally

(D) Express an independent opinion on the whole question.

On a correct decision depends the solution of the Czech problem. We thus bear the responsibility for centuries to come.

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THE NATURE OF THE CZECH PROBLEM

I. The nature of the Czech problem becomes evident from

(1) A look at the geographical and ethnographic map,

(2) the knowledge of racial conditions and

(3) from the historic fate of the Czech people.

(1) The Czech people, which belongs to the western Slavs, lives not only within the German political Lebensraum but also within its ethnographic Lebensraum. Its territorial position prohibits political independence. The inability of the Czechs to organise themselves into a permanent state is a fate arising from their geographical position. The Greater German Reich must be able to dispose of this territory and its inhabitants politically. Out of this arises the question of the fate of the Czech people and of the constitutional form of its incorporation into the Reich.

(2) Originally there existed a strong racial difference between the Teutonic Germans and the Slav Czechs. But the fact that the Czechs belonged for a thousand years to the Old Reich or to States governed by Germans, determined not only the political and social but also the racial structure of the Czech people, i.e. it considerably altered it. From the very beginning a mixing of German and Czech blood took place here. Just as the Czech princes took their wives from amongst the German noble families, so also did the rest of the nobility and the citizens and peasants intermarry with Germans. Only towards the end of the 18th century did the ratio of Germans to Czechs of 5 to 3, which had existed till then, - in the flat country as well, - change to that of 3 to 5, - a fact which canbe explained only by the quiet transformation of a corresponding number of Germans into Czechs, whose descendants, bearing Czech or German names, today live as Czechs. On the other hand, particularly in the course of the 19th century the Germanisation of numerous Czechs took place. The outcome of this thousand year long historical process is the far reaching racial levelling off of the two peoples in the Bohemian area, so that now only a minority has retained the <u>original</u> distinctive racial features in a pure state. This strong intake of Germanic blood also explains the ability of the Czech people

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to produce considerable achievements in the spheres of culture and civilisation - especially since the beginning of the 19th century - to a far greater degree than, for instance, the Slavonic Poles. The Germans from the Old Reich, who expected to find a "Polish Economy" (translator's note: slang for "chaotic state of affairs) in this country, are always astonished at the high cultural level in Bohemia and Moravia.

(3) History finally shows, that the practice of incorporating Bohemia into the Reich, at first as a tributary and then as a fief was an advantageous solution for both sides. The withdrawal of Bohemia in the 16th century is not an isolated process, but is one of the many cases of the breaking up of the Old Reich into separate territories. The break took place in connection with and was caused by the great religious confessional antagonisms which led to political cleavages not only between neighbour peoples but also within the individual peoples. From 1526 until 1918 Bohemia was then again made a part of a comprehensive and vast state structure, and lived in it in a kind of political autonomy. Only the Masaryk-Benes epoch produces an attempt at absolute opposition to Germanism.

If the territorial situation forces the inclusion of Bohemia and Moravia in the Reich, the racial picture provided by the Czechs permits a policy of assimilation or of changing nationality for a majority of the Czechs: the past finally demonstrates the protectorate-like form of the inclusion of Bohemia in the Old Reich as it proved itself during centuries.

II. At present the Czech people are in the midst of a real and extremely severe spiritual-political crisis. The collapse came suddenly and catastrophically. A tremendous number of new things have stormed in on the Czechs. They have not as yet found a way out of the collapse of the old values, concepts and orientations. The present mental-spiritual attitude of the Czech people is somewhat as follows:

(1) In the case of the one-time exploiters and of the majority of the intelligentsia, who are very numerous in proportion to the total population and who are very conceited: they hope that we will be defeated and that Czechoslovakia will subsequently be resurrected. This class is irreconcilable.

(2) Then - and that also in the circles of the elder intelligentsia - a class of Czechs who entertained doubts of the durability of the 1918

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arrangement even in Czechoslovakia. (Advocates of the former Austro-Slavism, older State officials, as well as officers and men faithful to Austria). These people are beginning to remember that they had lived well for centuries while they were part of a foreign State union.

(3) A factor comprising primarily the wide class of peasants, workers and petits bourgeois which until now we have hardly worked on at all in the way of political propaganda. Their national consciousness bears no strongly developed national-political, but a more patriotic, folk lore note. This circle may follow a clever German leadership, if it can continue in this manner for the time being and if it is no longer incited by the intellectuals.

-B-

Analysis of the present constitutional and political shape of Bohemia and Moravia.

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The constitutional position of the Reich provinces of Bohemia and Moravia has not reached its final shape with the setting up of the Protectorate, and the Czech problem cannot yet be regarded as having been finally solved thereby. On the contrary, only the first stage of a process has thereby been entered on. The war has greatly influenced this course. The effect has been partly to speed it up, in as far as the Reich has attained a dominant position in Europe and the world within a short space of time, whereby a certain part of the external political considerations of March 1939 have been eliminated; and partly obstructive, because the need for the contribution of the Protectorate to efforts vital for the war, (intensive agricultural production, production of arms and munitions, functioning of trade and traffic) forbids any attack on the Czech national spirit because of possible interuptions in the smooth-running of production on which might result for the duration of the war.

The setting up of a central Reich authority which is subordinated only to the Fuehrer has proved itself absolutely correct. Under the leadership of the Reich Protector, the Czechs have, by and large, rendered their contribution to the production demands of the Reich, during the war also, without any big acts of sabotage, partly out of conviction that only thus would they maintain their autonomy and secure their national existence and partly for fear of punishment. The Czech administration, controlled and

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directed by the Reich Protector, has functioned and works even in times of crisis without serious disturbances, owing to suitable German pressure.

Nevertheless, the Reich Protector is today forced to maintain an administrative activity based on the status quo. We cannot be satisfied with this kind of stationary policy in the long run, but must emerge from this passive attitude one day and enter upon an attack against this area and against the Czech people within the framework of a plan embracing the whole Reich. This then necessitates a change of the constitutional structure of the Protectorate, since the further undisturbed functioning of the Reich Protector's present administrative apparatus does not by itself bring about the assimilation or Germanisation of the Czechs.

-C-

Opinion on various Party and other Projects

Various Party and State authorities are at present concerning themselves intensively with the future shaping of the Bohemian-Moravian area and the solution of the Czech problem. The causes for these projects are:

(1) The plans of individual Gauleiters concerning the reforming and remodelling of their regions. (Sudetendistrict, Lower Danube, Upper Danube, Silesia etc.).

(2) Constitutional deliberations by some State authorities concerning Reich reforms and the New Order of the coming Reich. (Ministry of the Interior, Hess' Staff).

(3) Certain economic and financial interests of Berlin State departments (Ministries of economy, finance, food, postal services and transport).

Nearly all of these projects foresee as speedy a dissolution of the Protectorate as possible and with that of the office of Reich Protector, demand a splitting up into 3 or 4 Reich Gaus of the territory which is at present one whole and with this the earliest possible total incorporation into the Reich administration. From such a splitting up of the Czechs into several Reich Gaus, they expect - besides a simplification of the Administration - a speedy solution of the Czech nationality problem, i.e. Germanisation in a short time by means of the offensive power possessed by the Gaus.

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The efforts of the Lower Danube Gau leadership aim at separating Moravia and joining it to the present Lower Danube Gau, with Brno as the Gau capital, and intend Bohemia as a kind of Czech "reserve". From the Lower Danube to Silesia a German corridor is to be created. In this connection the tribal differences of the "Moravian Slavs" are also specially speculated upon.

To this the following has to be pointed out:

(1) The decision about the solution of the Czech problem must not be made dependent on the special interests of individual Gauleiters, however justified such interests may seem at present. The New Order of the Reich is at stake, and with it the final solution of the Czech question, i.e. Reich interests and not Gau interests. The latter are to be subordinated to the former. The emphasis on the primary importance of Reich interests excludes neither the bringing in of the native forces in the adjoining frontier areas which have proved themselves in the racial struggle, nor consideration for the requirements of the industries belonging to these areas, industries which for ages had their natural marketing area in Bohemia and Moravia.

(2) The opinion that, by splitting up the national bloc living in one closed body and distributing it to several Reich Gaus the Czechs can be Germanized more rapidly - these projects too consider total evacuation impossible to carry out - is wrong for these reasons:

a) because the first reaction to partition would be an increase in political tension among the Czechs, the flaring up of resistance and a fresh growth of political consciousness among the Czechs, whereas what is desired is to make them unpolitical and disorganized;

b) because administrative frontiers can never destroy a united people and an administrative splitting up unfortunately does not end the existence of a Czech nationhood very conscious of unity. History has proved this in Poland, which was thrice incorporated by partition into three different states. It was then that the political regeneration of the Polish people really started in earnest;

c) because, against a Czech nationhood which in reality remains unified, there would stand - not a unified Reich authority but a number of Gau offices or Reich Governorates working and experimenting along different lines, as we know from experience. The German strength would be split up, and the vital Czech people would find it easier to deal with

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these divided German forces;

d) because such an official "Czech partition" brings with it sharp reactions in the field of foreign politics and disturbs the Reich's policy of wide spaces in the South East. To this must be added the fact that the Czechs were not incorporated as a result of war, but that they asked for protection, which might perhaps frighten other South Eastern peoples off doing this.

It should further be noted that the creation of a "Czech reserve" in Bohemia does not constitute a constructive solution, as this gives rise to new administrative problems and the "Czech reserve" is not Germanised - the problem thus remaining. In addition it is hardly possible to prevent these Czechs multiplying in the Reserve and they will shortly begin to emigrate once more into the neighbouring frontier areas.

-D-

Own Opinion

The aim of Reich policy in Bohemia and Moravia must be the complete Germanisation of area and people. In order to attain this, there are two possibilities:

I. The total evacuation of the Czechs from Bohemia and Moravia to a territory outside the Reich and settling Germans in the freed territory, or

II. if one leaves the majority of the Czechs in Bohemia and Moravia, the simultaneous application of a great variety of methods working towards Germanisation, in accordance with a plan containing a target year.

Such a Germanisation provides for:

1) The changing of the nationality of racially suitable Czechs;

2) The expulsion of racially unassimilable Czechs and of the intelligentsia who are enemies of the Reich, or "special treatment" for these and all destructive elements:

3) the recolonising of the territory thus freed with fresh German blood.

To I).

I consider that the total expulsion of 7.2 million Czechs is impossible to carry out,

a) because there is no space available where they can be settled afresh;

b) because there are no Germans available who can immediately fill the vacated space;

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c) because the core of Europe which is highly civilized and highly sensitive, economically and in the technical field of communications cannot stand being disturbed in its functions and can not tolerate a vacuum;

d) because human beings represent Reich capital and we, in the new Reich, can not do without the working power of 7 million Czechs;

e) because probably the shock effects on other South Eastern peoples are undesirable.

To 2).

In my opinion, Germanisation can nevertheless be achieved by means of the three possibilities here mentioned. The successful attempts at assimilation in past centuries, the bringing of millions of Czechs to the German racial level which thereby took place, and which is described above and the power of attraction of the new Reich make it possible and probable that several million Czechs can be got really to transform themselves nationally. To separate this transformable part of the Czech population from those who are racially inferior is the task of special commissions of investigation, to be appointed for this purpose. (Perhaps within the framework of the public health services). Via a systematically carried out political neutralization and depoliticalisation, one must first of all arrive at a political (spiritual) and then at a racial assimilation of the Czech people, in order finally to attain a real national transformation.

This process will have to continue both in the Protectorate area itself and also on a wide scale in Germany proper. Well planned methods sure of their goal are to be employed in all spheres of national life in an elastic manner and in a great variety of different ways. Only some of these methods can be pointed to here in their general lines:

WORKERS:

Raising of the standard of living - participation in the social achievements of National Socialism (German Labour Front, Strength through Joy)- Granting of obvious advantages on declaring in favour of Germanism (elimination of every defamation) - Large scale exchange of places of work with the Reich proper - including transfer of families (at present 95,000 Czech workers voluntarily work in the Reich proper after having been recruited) -

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A certain differential scale of wages between the Reich proper and the Protectorate to be maintained as an inducement - Transfer of female domestic servants into the Reich proper - ditto waiters, menservants, musicians, etc.

FARMERS:

Participation of Czech farmers in the advantages of the German agricultural policy favourable to farmers - Good policy of markets and prices - Inheritability of farms only for German peasants - German defensive farm settlements along the Eastern frontier.

MIDDLE CLASSES:

Materially promote trade and commerce - Offer social advantages to officials - Open up personal prospects - Promotions - Award of honours.

YOUTH:

Fundamental change in education - Extermination of the Czech historical myth - Education towards the Reich idea - No getting on without perfect knowledge of the German language - First doing away with the secondary schools, later also with the elementary schools - Never again any Czech universities, only transitionally the "Collegium Bohemicus" at the German university in Prague - 2 years compulsory labour service.

.....

Large scale land policy, creation of German strongpoints and German bridges of land, in particular pushing forward of the German national soil from the north as far as the suburbs of Prague.

Campaign against the Czech language, which is to become merely a dialect as in the 17th and 18th centuries, and which is to disappear completely as an official language.

Marriage policy after previous racial examination.

In attempts at assimilation in the Reich proper, the frontier Gaus must be excluded.

Apart from continuous propaganda for Germanism and the granting of advantages as an inducement, severest policemethods, with exile and "special treatment" for all saboteurs. Principle: "Pastry and whip"!

The employment of all these methods has a chance of success only if a single central Reich authority with one man at its head controls its planning, guiding and carrying out. The direct subordination of the "master in Bohemia" to the Fuehrer clarifies the political character of the office

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and [redacted]e task, and prevents the political problem from sinking down to an administrative problem. Only thus can the task be withheld from the departmental jealousies and the multiplicity of the Ministries and other Reich and Party offices. The Czech is always impressed only by the direct use of Reich authority. With his political skill and his tactics, trained throughout centuries, he can easily deal with three or four different provincialisms, particularly since for the time being "mother Prague" (pencil note: Head Office in Russia) will in any event remain the political brain of the Czech nation. Any division of the Protectorate area violates this principle.

Until suitable successes have been achieved in the intended process of national transformation, I therefore recommend the following:

(1) The maintenance of the territorial unity of the present Protectorate area. Frontier adjustments on a small scale in favour of the adjoining Gaus, or for technical reasons, are always possible. (Pilsen, Morava, Ostrava, Neuhaus etc.).

(2) The maintenance of one central Reich authority in Prague, with one man at it head, who is directly subordinated to the Fuehrer and equipped with all the necessary powers for Germanising.

(3) The step by step elimination of the autonomy of the Czechs, and the careful, gradual elimination of the Czech machinery of state connected therewith, commencing with the highest authorities, but retaining a body of Czech officials and employees.

I recommend Para 3) for the reason that

a) owing to lack of officials we are not in a position to appoint German functionaries for the 7,950 urban and rural administration offices, the 92 county administration offices, and 2 Provincial authorities, and because, owing to the enormous tasks which will face us in the future Reich, we have to make use of Czechs on a large scale:

b) because - thanks to the German hand which guided it - the Czech administrative machine did function on the whole - during the war too - will continue to work in the future too and - in its own interests - will maintain quiet and order on the Czechs' own responsibility.

c) because it is quite sufficient if we occupy all the important key positions in the higher administrative offices with a comparatively small but well trained body of German officials, and, instead of ourselves

H1172-0123

administrating every little detail, issue directives and lead, i.e. rule.

. . . . . .

This memorandum takes for granted the intention of wishing to Germanise the area of population of the Protectorate. It therefore does not deal with the problem of an absolute "degradation" of the Czech people to a purely auxiliary race (Hilfsvolk) on racial grounds (Askari viewpoint!), a race to be outlawed socially and intermarriage with which would have to be forbidden. The practical carrying out of a complete degradation is rather considered as impracticable, and only an individual degradation is visualized as a special method of "special treatment" (Sonderbehandlung) in accordance with D II/2. And according to the explanations contained in this memorandum, this degradation does not seem to be necessary, because the solution of the Czech question, and with it the final pacification of the centuries-old Bohemian-Moravian centre of discord (Brandherd) in Europe, can be attained in the manner proposed.

At the end of a certain period of transition, during which the process of Germanisation must be brought into full operation in a uniform manner, nothing any longer stands in the way of a partition of the present territory of the Protectorate and its allocation to the Reich, or of the creation of new Reich Gaus.

Prague, 28 August 1940.

(Signed) Secretary of State,

K. H. FRANK.

CERTIFICATE OF TRANSLATION

I, Major L. A. Hill, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct translation of Document 3859-PS.

L. A. HILL
Major
DAAG.

H1172-0124

GB 327 Film June 25

TRANSLATION OF DOCUMENT 3862 PS
OFFICE OF U.S. CHIEF OF COUNSEL

The Reichs Protector
for Bohemia & Moravia
I 1 a - 3943

Prague, 27 th June 1941

Office of the State
Secretary
Reichs Protectorate
for Bohemia & Moravia.
Recd. 16/7/1941

Confidential!

To:
a) The Office of the Reichs Protector
b) The Office of the State Secretary
c) The Office of the Under State Secretary
d) The Central Administration
e) Sections I to IV
f) All groups
g) The Office for Moravia at Brünn
h) The Plenipotentiary of the Armed Forces
i) The District Labour Chief
j) The Commander of the Public Police
k) The Commander of the Security Police
l) The representative of the Foreign Office
m) The Party Liason Office
n) The Bohemian & Moravian Oberlandräte
o) The Curator, German Scientific High School, Prague.
p) The Curator, German Technical High School, Brünn
q) The higher Finance President
r) The Chief District Judge
s) The Attorney General
t) Head Office, German Reichspost.

Re. Handling of the German-Czech problem.

For the motive stated, I order that in future, when arrangements and publications of any kind concerning the German-Czech problem are made, the views of the whole population are more than ever to be directed to the war and its requirements, whilst the duty of the Czech nation to carry out the war tasks imposed on it jointly with the Greater Reich is to be stressed.

Other questions concerning the German-Czech problem are not suitable subjects for public discussion at the present time. I wish to point out that, without detriment to my orders, administrative handling and treatment of all questions about the German-Czech problem are to be in no way alluded to.

H1172-0125

TRANSLATION OF DOCUMENT 3862 PS
CONT'D.

What is decisive for my order is the necessity for seeing that quiet and order reign in the Protectorate during the war and that the working population, both in the country and in towns, especially in the armaments industry, are allowed to perform their tasks, so important to the war, without hindrance. Public explanations or expressions cannot be allowed to disturb the arrangements I have made for maintaining peace and order. Any disturbance of the public by untimely discussion of the German-Czech problem gives to enemy broadcasters, enemy agents and opposition-circles the occasion for stirring up the Czech population.

Requisite public statements about the political questions of the Protectorate, and in particular those addressed to the Czech population, are my business and mine alone and will be published in due time.

(signed) Freiherr von Neurath
Witnessed:
(signature illegible)
Registrar

CERTIFICATE OF TRANSLATION

6 th April 1946

I. Lt. Col. C.Mc Cracken (retd.) hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 3862- PS.

CLIVE Mc CRACKEN,
A.E.F. Permit 59681

H1172-0126

TRANSLATION OF DOCUMENT NO. 3893-PS
OFFICE OF U.S. CHIEF OF COUNSEL.

VOELKISCHER BEOBACHTER

17 Sept. 1933 Page 1.

The Jewish Question

The Minister had no doubt that the stupid talk abroad about purely internal German affairs, as for example the Jewish question, will quickly be silenced if one realises that the necessary cleaning up of public life must temporarily entail individual cases of personal hardship, but that nevertheless it only served to establish all the more firmly the authority of justice and law in Germany.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 3893 - PS.

24 April 1946.

I, EVELYN WITT, NO. 110560, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 3893-PS.

EVELYN WITT,
No. 110560.

GB 518 Filed June 25

TRANSLATION OF DOCUMENT 3945-PS
OFFICE OF U.S.CHIEF OF COUNSEL

(Translator's notes:
1. This page represents file-cover.

2. Imprint on this page "President of the Secret Cabinet Council" is in rubber-stamp)

The President of the Secret Cabinet Council.

SPECIAL-FUNDS

H1172-0127

H1172-0128

GB 518
Filed June 25

TRANSLATION OF DOCUMENT 3945-PS
Office of U.S. CHIEF OF COUNSEL

Berlin w8, 28th August 1939
Vossstrasse 6.

The Reich Minister
and Chief of the
Reich Chancellery.

Rk. 22766 B

To: The President of the Secret Cabinet Council,

Berlin, w 8.
Vossstrasse 6

In reply to letter of 9th August 1939
without G.-No.

In conformity with your request, I have had the sum of RM 10,000.-, which had been placed at your disposal for special expenses in connection with the obtaining of diplomatic information, handed to Amtsrat K ö p p e n .

I enclose the draft of a certificate showing how the money was used, with the request to send me the certificate after execution, at the latest by the end of the financial year.

(signed) Dr. Lammers

Note in pencil at foot)
of the original letter)

The certificate of use was executed on 31st March 1940 and forwarded to the Reich Chancellery on 2nd April 1940.

(initialled) K.

H1172-0129

Copy.

Re. Rk. 2 2766 B.

Certificate of use.

10,000,oo RM.

I have received "Ten thousand Reichsmarks" from the Reich Chancellery for special outlay entailed in obtaining diplomatic information. In conformity with my duty, I hereby affirm that I have used the above mentioned sum for the purpose stated. Receipts from the persons who received individual sums could not be demanded.

Berlin, 31st March 1940.

(signed) N e u r a t h.

H1172-0130

Berlin, 2nd April 1940.

In reply to your letter of 28th August 1939 - Rk. 2 2766 B -, I beg to enclose herewith the duly executed Certificate of use.

On behalf of

(signed) K ö p p e n.

To: The Reich Minister and

Chief of the Reich Chancellery,

B e r l i n.

Note in pencil at foot:

from Dept. 1 - 2/4 K.

H1172-0131

Berlin, 31st May 1943

Highly esteemed Herr Reich Minister,

I beg to inform your Excellency that the private means of the office till will soon be exhausted. The amount of 10,000 RM paid in on 9th May 1941 will be used up with the payments to be made in the month of June.

Your Excellency,

With thanks, I remain,

Yours faithfully,

(signed) K ö p p e n.

H1172-0132

Berlin, 30th June 1943.

In my bureau there is a need to incur special expenses, to audit which it does not appear to me advisable. As I am no longer being allotted special means to be at my disposal, I shall be obliged if you will place the sum of 10,000 RM at my disposal for the purposes indicated.

(signed) Freiherr von Neurath.

To:

The Reich Minister & Chief of the Reich Chancellery.

Dr. L a m m e r s ,

B e r l i n .

H1172-0133

TRANSLATION OF DOCUMENT 3945-PS
continued

The Reich Minister
and Chief of the
Reich Chancellery

Berlin W.8., 11th July 1943.
Vossstrasse 6,
now at Field quarters.

All mail, without exception to be sent to Berlin address.

Stamped with rubber stamp.

The President of the Secret Cabinet Council: recd. 15th July 1943.

To:

The President of the Secret Cabinet Council,

B e r l i n, W.8.

Re. letter of 30th June 1943.

In accordance with your request, I place at your disposal the sum of 10,000,oo RM out of the Fuehrer's disposal funds which I administer and which are for the purpose of meeting special outlays, the auditing of which does not appear to be advisable. I will have this amount transferred to Amtsrat Köppen.

As the presenting of a detailed statement of the expenses paid out, for the purposes of auditing accounts, might be impracticable, I request you to return to me the attached Certificate of use as soon as these means have been disposed of.

(signed) Dr. L a m m e r s .

H1172-0134

C e r t i f i c a t e o f u s e

10 000,oo RM

I have received "Ten thousand Reichsmarks" from the Reich Chancellery for special expenses, the auditing of which does not appear to be advisable. In accordance with my duty, I hereby certify that I have used the above named amount for the purposes stated.

Berlin, (no date)

(no signature)

Berlin, 14th July 1943.

Highly-esteemed Herr Reich Minister,

When I went into the matter of the Private Fund, the competent people in the Reich Chancellery showed an entirely understanding attitude to this matter, and asked for a written application from Your Excellency. When I replied that I did not wish to bring about such an application before success was announced, they asked for a little longer for a further exchange of views. After a few days I received an intimation that I could bring about the application without hesitation, upon which I handed over the letter which I had previously withheld. The amount requested has been handed to me today and I have duly entered this sum in my special cashbook as a Credit.

I am, Your Excellency, always

Yours faithfully,

(initialled) K.

H1172-0135

H1172-0136

CERTIFICATE OF TRANSLATION
OF DOCUMENT 3945-PS

3rd May 1946.

I, Major L. A. Hill, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 3945-PS.

L. A. HILL
Major, D.A.A.G.

H1172-0137

Gb 519
Filed June 25

3958 PS

The Reich Minister and Head of the
Reich Chancellery.

RK 204 B Secret

Please quote this Ref. No.
in further letters.

Berlin, W.8

20 April, 1941

Vossstrasse 6.

At present Fuehrer's H.Q. Mail to be
sent exclusively to the Berlin address.

(The President of the Secret Cabinet)
(Council. Received 23 April,1941..)
(enclosures.)

To: The President of the Secret Cabinet Council
Reich Minister Freiherr von Neurath.

Subject: Air raid shelters for the official residences of Reichministers.

Reference: Letter of the Reich Minister for Finance of the 10 April of
this year. LU-4760-490- I Secret.

In order to be able to arrange for the appearance in the budget for the financial year 1941 - Single Plan I - of the means required by the Reich Minister for Finance for the purpose of building a shelter on the property in Berlin occupied by you, I request you to communicate to me as soon as possible the expected amount of the expenses when doing so. Please indicate the street and house number of the property in question.

(signed) Dr. Lammers.

H1172-0138

3958 PS

The Reich Minister and
Head of the Reich Chancellery.
RK 4768 B

Please quote this Ref. No.
in further letters.

Berlin W.8

8 April, 1942

Vossstrasse 6.

(The President of the Secret Cabinet Council. Received 11 April, 1942. enclosures.)

To: The President of the Secret Cabinet Council,
Berlin W 8
Vossstrasse 6.

Subject: Budgetary material for the financial year 1942.

Reference: Letter of 29th December, 1941.

The Reich Minister for Finance has agreed that the budgetary needs announced by you for the financial year 1942 be shown in Single Plan I.

I therefore have no objections to having the necessary expenditure granted - even before the establishment of Single Plan I - within the limits of those amounts, namely:

for personal administrative expenditure up to 28,500 RM

for official administrative expenditure up to 25,500 RM

Total 54,000 RM

By Order

(signature illegible).

H1172-0139

3958 PS

The Reich Minister and Head of
the Reich Chancellory.

Berlin, W.8.

RK 13666B

30 September, 1942

Vossstrasse 6.

Letter of Authorisation

The President of the Secret Cabinet Council is hereby authorised to issue orders of payment in October 1942 within his administrative sphere of jurisdiction to the debit of the financial year 1942 up to 2700 Reichs marks "two thousand seven hundred Reichsmarks".

By order

(Signature illegible)

(Stamp) Reich Chancellery.

H1172-0140

3958 PS

Office of the President of
the Secret Cabinet Council.

Berlin

8 January, 1943.

To: The Reich Minister and Head of the Reich Chancellery,
Berlin W 8
Vossstrasse 6.

As a result of the terror raid of the 23rd August, 1943, the official residence of the President of the Secret Cabinet Council, Reich Minister Freiherr von Neurath, in Berlin-Dahlem, Rheinbabenallee 23, has been damaged and become uninhabitable. A thorough repair of the rooms has proved to be impossible at present. The Reich Minister is therefore living until further notice in Leinfelden on the Enz, post office Enzweihingen (Wurttemburg), from where he continues to conduct his official business via his office in Berlin, Vossstrasse 6.

The drawing of the contributions for heating, hot water and electric current consumption has been discontinued as from October, 1943.

For the restitution of the contributions still payed for the month of September 1943 under Chap I, Para 2 - 1,1 for hot water and electric current - a total of 28 Marks - an advice note will be sent to the Reich Treasury.

The three servants' quarters in the basement and the garage have remained habitable: so that there will be no change there.

(signed) Köppen

H1172-0141

3958 PS

The Reich Minister and Head of
the Reich Chancellery.

RK 2657C

Berlin W 8

4 March, 1943.

Vossstrasse 6.

(Stamp: the President of the Secret Cabinet Council
Received 8 March 1943).

To The President of the Secret Cabinet Council,
Berlin W 8
Vossstrasse 6.

In reply to your letter of the 12 February, 1943. I beg to enclose herewith the letter of authorisation for the month of March 1943 - Financial year 1942 - and would add that the Reich Treasury(Reichhauptkasse) has been advised accordingly.

Of this sum is intended:

for personal administration expenses 600 RM

for official administration expenses 2,000 RM

By order

(signature illegible)

Marginal Notes:

1. entered on the list

2. Zdk.

H1172-0142

3958 PS

The President of the Secret Cabinet Council.

Berlin,

20 April, 1945.

In accordance with the comparative scale drawn up by the Reich Building Office, Reich Minister Freiherr von Neurath has to make a monthly contribution of 16.- RM for the electric current used in his official residence at Rheinbabenallee 23, Berlin-Dahlem. A total of 48. RM is therefore due for the months of January, February and March 1945.

In agreement with the Reich Minister and Head of the Reich Chancellery, the Reich Treasury is hereby advised to accept the sum of 48 RM (forty eight Reichmarks) and to enter it as a credit under Cahp I, Para 2 1.1. of the Administration receipts of the ordinary Budget for 1944.

By order

To the Reich Treasury.

H1172-0143

CERTIFICATE OF TRANSLATION

I, Major L.A. Hill, hereby certify that I am thoroughly conversant with the English and German languages and that the above is a true and correct translation of Document 3958 PS.

INTERNATIONAL MILITARY TRIBUNAL

H-1172

File June 25

Willey

BRITISH DOCUMENT BOOK

CONSTANTIN v. NEURATH

No. 12a (ENGLISH)

H1172-0144

Constantin Von Neurath 12a